

C. 9304

January 30, 2026

Madam,
Sir,

Pursuant to the decision of the thirty-seventh session of the *Standing Committee on the Law of Patents* (SCP), which was held in Geneva in a hybrid format from November 3 to 7, 2025, Member States and Regional Patent Offices are kindly invited to send to the International Bureau of the World Intellectual Property Organization (WIPO) by **March 31, 2026**, any inputs for the preparation of the following documents:

- (i) a study on the determination of inventorship and conditions of foreign filing, with a view to identifying potential challenges for innovators in the cross-border collaborative environment. Please fill in this [survey](#) for item (i);
- (ii) a draft reference document on the exception regarding private and/or non-commercial use. The inputs may relate to, for example, relevant court cases, challenges faced by Member States in implementing the exception and the results of the national/regional implementation;
- (iii) a document updating [SCP/36/5](#) (please also refer to document [SCP/36/5 CORR.](#)) (Background Document on Patents and Emerging Technologies);
- (iv) a document updating [SCP/37/5](#), Annex, Section VI (the “DABUS” case);
- (v) a study on the categories of professionals who enjoy protection against forcible disclosure of confidential communications between clients and their patent advisors in court proceedings under national/regional laws; and
- (vi) a study on best practices and challenges in technology transfer in the health and green technology sectors focusing on industry-academia collaboration, considering national and international regulatory frameworks.

With respect to items (ii) through (vi), please upload your responses [here](#).

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In addition, in order to maintain the information collected through the activities of the SCP up to date, the International Bureau would appreciate receiving any updated information on the following topics from Member States and Regional Patent Offices by

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- (vii) [certain aspects of the applicable national or regional patent law](#), related to prior art, novelty, inventive step (non-obviousness), grace period, sufficiency of disclosure, exclusions from patentable subject matter and/or exceptions and limitations of the rights. Please fill in this [survey](#) for item (vii);
- (viii) [national and regional laws on opposition systems and other administrative revocation and invalidation mechanisms](#);
- (ix) [international worksharing and collaborative activities for search and examination of patent applications](#);
- (x) [compilation of laws and practices regarding the scope of client-attorney privilege and its applicability to patent advisors](#);
- (xi) [expedited examination programs](#);
- (xii) [legislative and policy measures adopted by Member States relating to Standard Essential Patents](#), which can include references to notable case law; and
- (xiii) publicly available materials concerning any or all of the following areas of standard professional conduct in patent examination: conflict of interest; applicant privacy and data protection; consistency in handling applications; professional communication with applicants and/or agents; and the use of automated searches and AI. A compilation will be published on a dedicated webpage of the SCP website by SCP/39.

With respect to items (viii) through (xiii), please upload your responses [here](#).

For any specific queries relating to the questionnaires, please contact the International Bureau by e-mail at: scp.forum@wipo.int

The SCP [Electronic Forum](#) is available for members and observers of the SCP to facilitate the deliberations and discussions of the Committee. The International Bureau encourages SCP members and observers to submit any additional inputs, comments and suggestions they may have with respect to the activities of the SCP to scp.forum@wipo.int, which will be posted on the SCP Electronic Forum webpage.

Yours sincerely,



Lisa Jorgenson
Deputy Director General
Patents and Technology Sector