

# **WIPO-LES Joint Online Seminar:** WIPO Operational Update and Focus on Patent Issues

5 May 2020 (via Zoom)

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# Agenda

15:00 – 15:10	Introduction of Speakers and Welcome Addresses
15:10 – 15:35	Topic 1 - Patents and Technology Sector: Update on the PCT System
15:35 – 16:15	Topic 2 - Patents and Technology Sector Patent Law Division
16:15 – 16:25	Question & Answer Session
16:25 – 16:30	CLOSING REMARKS





## Speakers



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Mr. Dana Robert Colarulli  
Executive Director  
Licensing Executives International (LESI)  
Washington, D.C.  
**Moderator**



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Mr. Thomas Bombelles  
Head of Section, NGO and Industry Relations  
World Intellectual Property Organization (WIPO)  
Geneva, Switzerland



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Ms. Natalie Raffoul  
BRION RAFFOUL, LLP  
Ottawa, Canada  
**LESI Education Committee Co-Chair**

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## Speakers



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Mr. Ken-Ichiro Natsume  
Senior Director  
PCT Legal and International Affairs Department, WIPO  
Geneva, Switzerland



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Mr. Marco Aleman  
Director  
Patent Law Division, WIPO  
Geneva, Switzerland



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Ms. Allison Mages  
Head, Legislative and Policy Advice Section, WIPO  
Geneva, Switzerland

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## LESI Business Briefings Available For Download

LESI has developed three business briefings for the IP Licensing community and for high-growth, innovative business that offer practical advice to businesses looking to monetize their intellectual property. Written by LESI members and experts from around the world, the three briefings are available for download below.

Even as intangible assets grow ever-more important to businesses, research has revealed that almost 50% of small and medium enterprises (SMEs) do not consider IP to be a valuable investment. With COVID-19 throwing the value of IP into sharp relief, typified by the growing number of businesses pivoting to quickly apply their expertise to developing ventilators, the Briefings fill a crucial gap in the market—to advise high-growth businesses on critical IP considerations to protect their business as they strive to meet new business needs.

To access, visit:  
[www.lesi.org/publications](http://www.lesi.org/publications)





# ■ Update on the PCT System

WIPO-LESI Joint Webinar Session

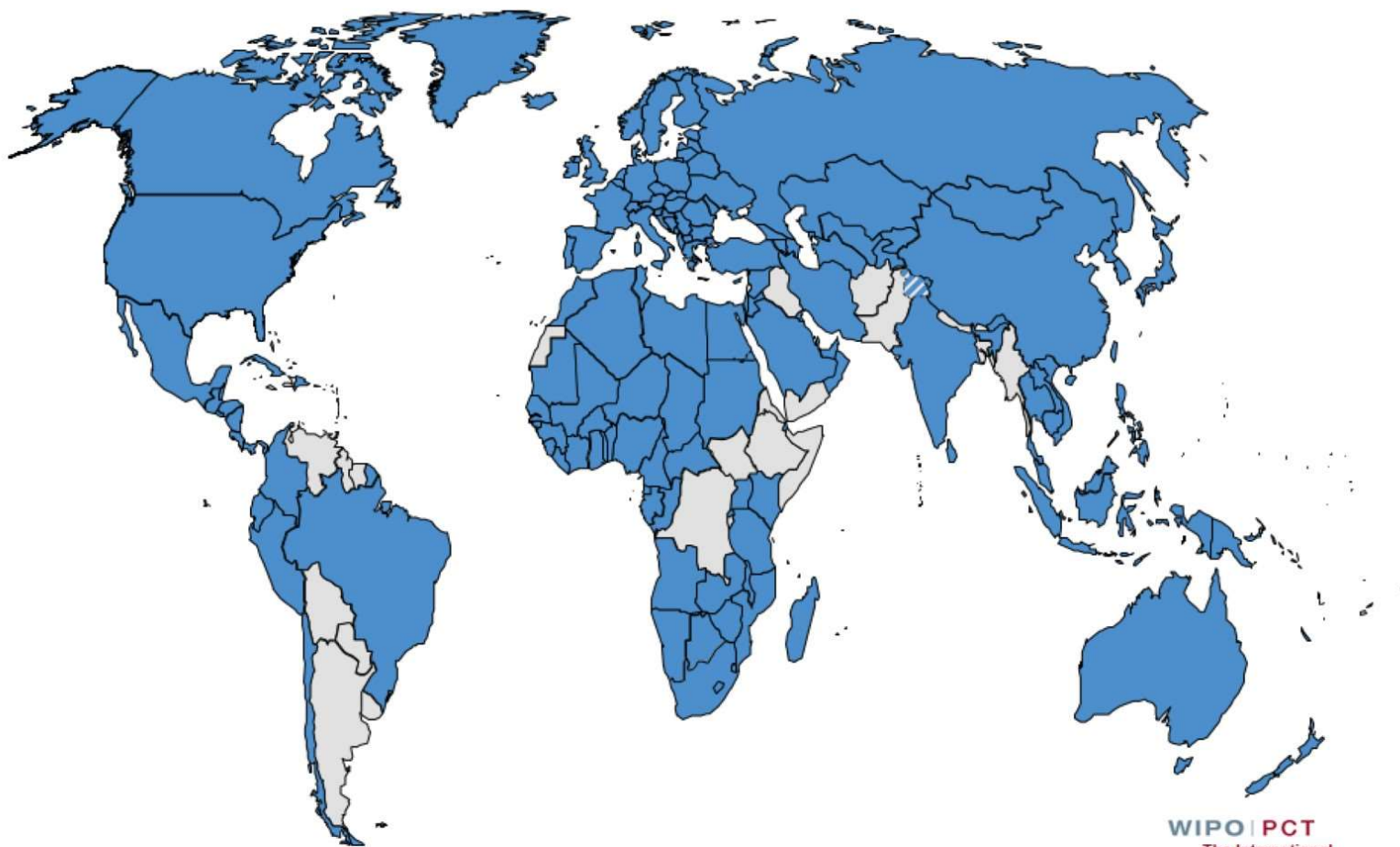
**May 5, 2020**

Mr. Ken-Ichiro NATSUME  
Senior Director  
PCT Legal and International Affairs Department  
Patents and Technology Sector  
World Intellectual Property Organization

WIPO PUBLIC



# PCT: 153 Contracting States

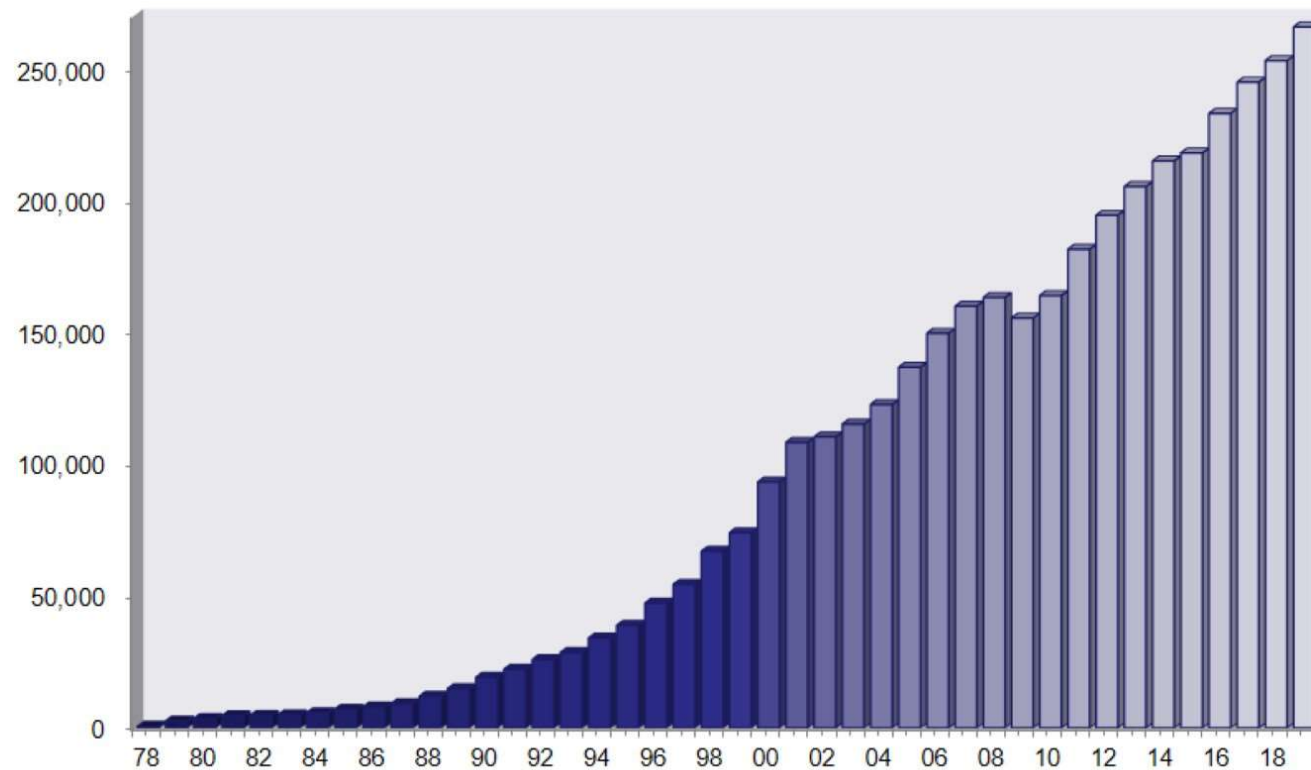


## UN Member States not yet in PCT

Afghanistan	Kiribati	Tuvalu
Andorra	Lebanon	Uruguay
Argentina	Maldives	Vanuatu
Bahamas	Marshall Islands	Venezuela
Bangladesh	Mauritius	Yemen
Bhutan	Micronesia	
Bolivia	Myanmar	(40)
Burundi	Nauru	
Cape Verde	Nepal	
Democratic Republic of Congo	Pakistan	
Eritrea	Palau	
Ethiopia	Paraguay	
Fiji	Solomon Islands	
Guyana	Somalia	
Haiti	South Sudan	
Iraq	Suriname	
Jamaica	Timor-Leste	
	Tonga	



# PCT Applications

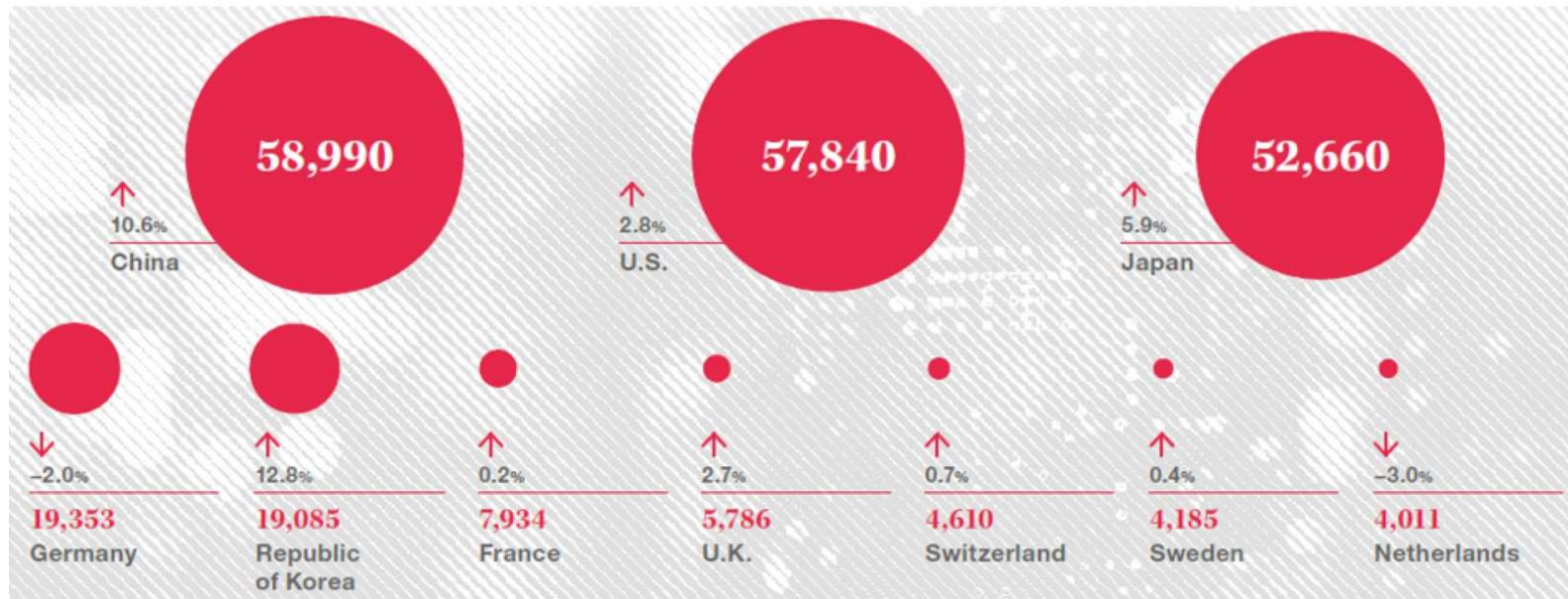


**265,800 international applications in 2019 (+ 5.2 %)**

**World Economic Growth 2019 (+2.9%)**

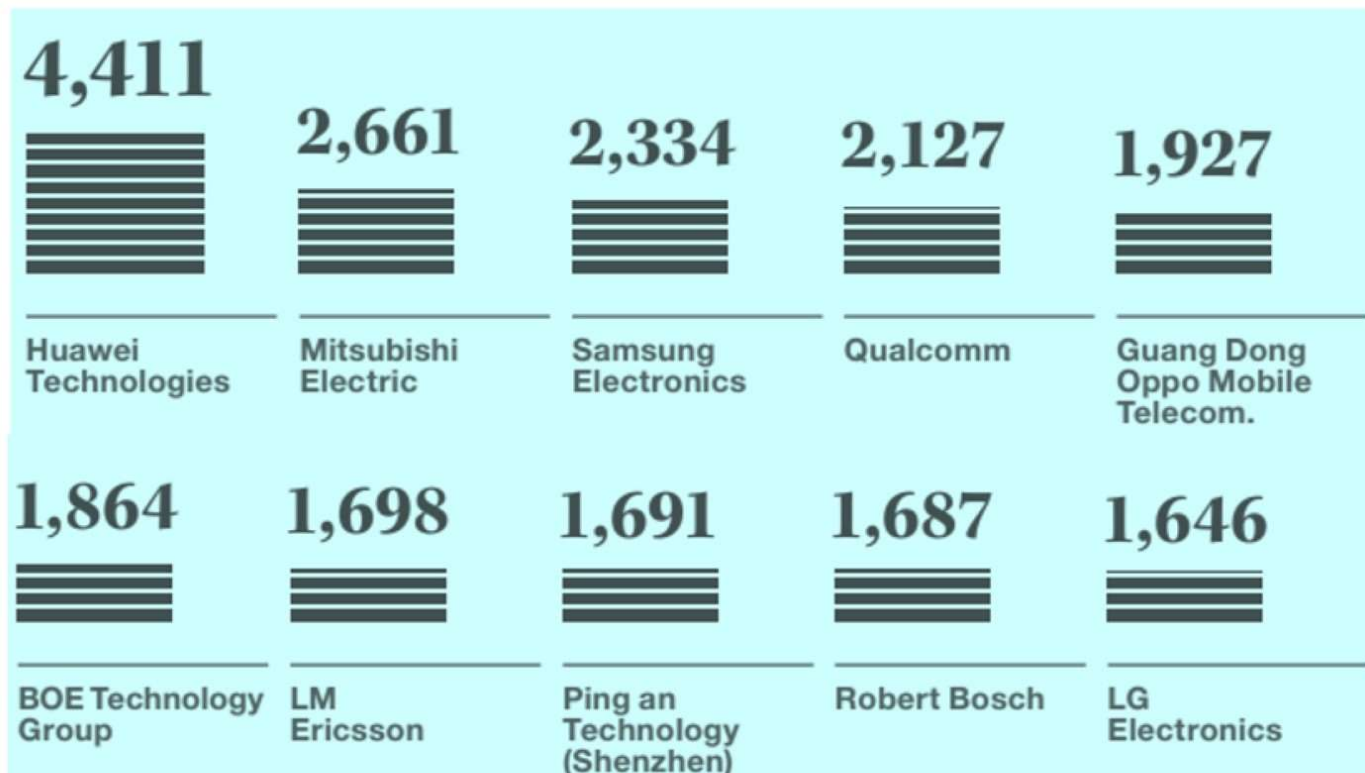
WIPO | PCT  
The International  
Patent System

# International applications received in 2019 by country of origin



- China becomes top PCT origin country; US held this position since 1978
- 22.2% originating in China, 21.8% in US, 19.8% in Japan
- 63.8% from the top 3 countries, 78.2% from top 5 countries, 92.8% of filings from top 15 countries (Asia > 52%)

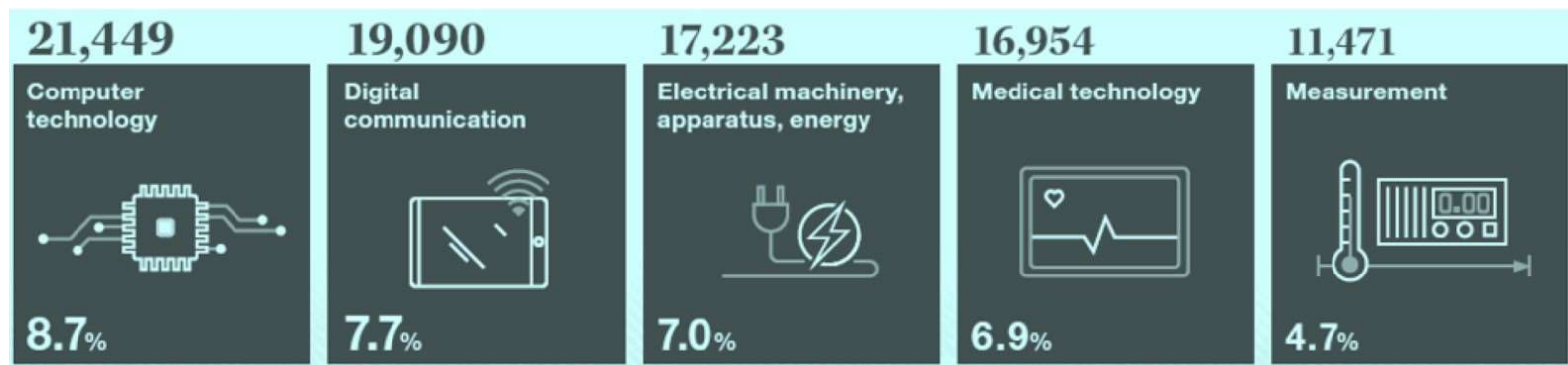
# Top 10 applicants: 2019



Number of published PCT applications

WIPO | PCT  
The International  
Patent System

# International applications received in 2019: Top 5 fields of technology



Number of published applications and share of total

# PCT Working Group (May 26-29, 2020) Postponed

(expected to discuss)

## ■ PCT/WG

- Proposal for amendments to the Regulations on Implementation of WIPO Standard ST.26 (aiming January 1, 2022)

- Review of Supplementary International Search System

## ■ PCT/CTC: EAPO will seek appointment as 24th ISA



# COVID-19 Related Issues

- Dedicated page on PCT Website

[https://www.wipo.int/pct/en/covid\\_19/covid\\_update.html](https://www.wipo.int/pct/en/covid_19/covid_update.html)

(WIPO Top page → PCT → Covid-19 update)



- Paper communications suspended
- Possible remedies and best practices
  - “Practical Advice” relevant to Covid-19
  - [Excuse of delays](#) under PCT [Rule 82quater.1](#): Interpretation of the International Bureau and recommendations to PCT Offices and Authorities
  - [Webinar](#): Impact of COVID-19 health crisis on the PCT
- [Crisis Management Dashboard](#)

ePCT  
recommended



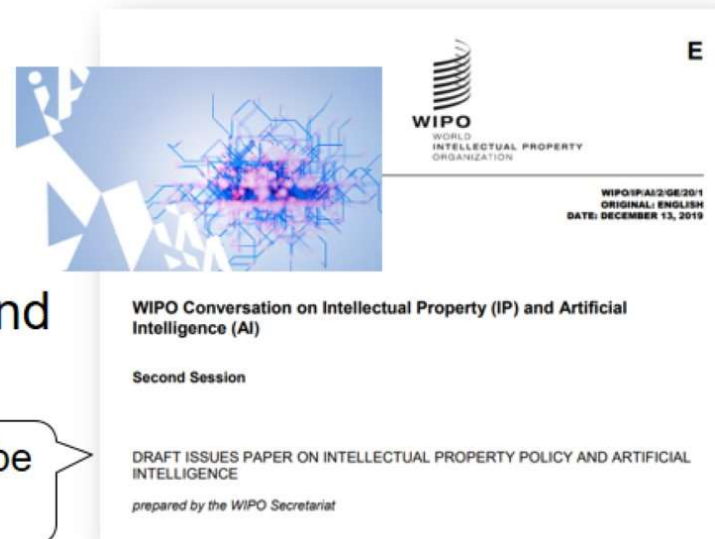
# AI and IP Policy



## ■ WIPO Technology Trends 2019 - Artificial Intelligence

## ■ WIPO Conversation on Intellectual Property (IP) and Artificial Intelligence (AI)

New date of the second meeting to be announced soon.



[https://www.wipo.int/about-ip/en/artificial\\_intelligence/](https://www.wipo.int/about-ip/en/artificial_intelligence/)



# **LESI-WIPO Seminar**

## **Update on the work of the Patent Law Division**

Marco M. ALEMAN

Director, Patent Law Division, WIPO

ALISON MAGES

Head, Legislative and Policy Advise Section

Geneva, May 5, 2020

WIPO is  
the global  
forum for  
intellectual  
property

 *Core functions*  
Multilateral law-making  
IP laws  
Policy negotiations

 **Policy**  
*Public tools*  
Treaties

*Core functions*  
IP filing services  
Dispute resolution

### Services

*Public tools*  
PCT System (patents)  
Madrid System (trademarks)  
Hague System (designs)  
Lisbon System (GIs)

*Core functions*  
Technical infrastructure  
Knowledge-sharing

### Infrastructure

*Public tools*  
Technology and  
Innovation Support Centers  
Classification systems

*Core functions*  
Development agenda  
Technical assistance  
Public-private partnership

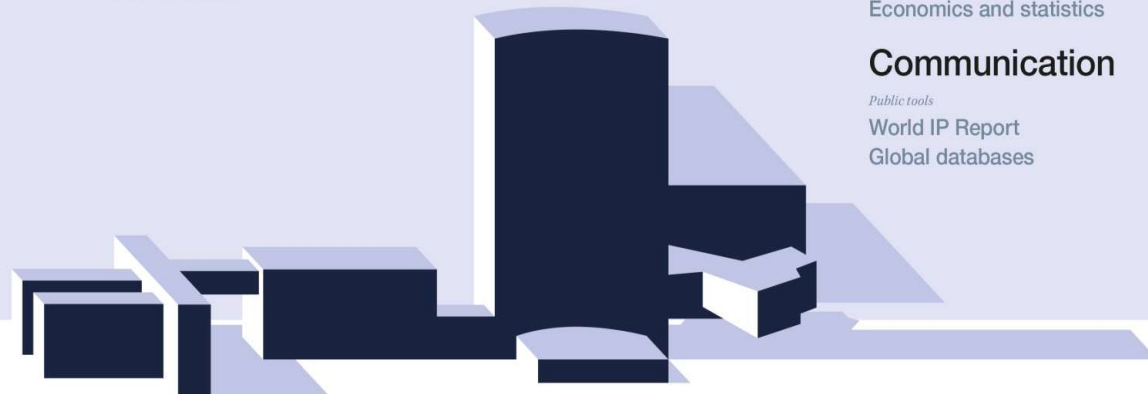
### Cooperation

*Public tools*  
Legislative advice  
Inventor assistance

*Core functions*  
Economics and statistics

### Communication

*Public tools*  
World IP Report  
Global databases

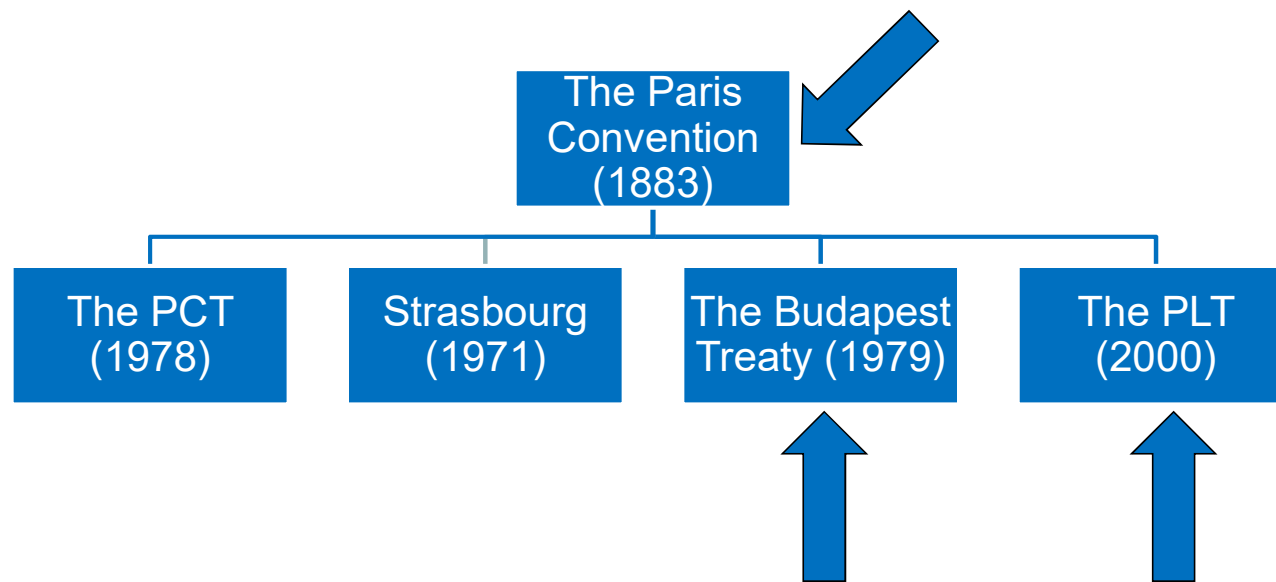


**WIPO**  
WORLD  
INTELLECTUAL PROPERTY  
ORGANIZATION

## SCP current agenda

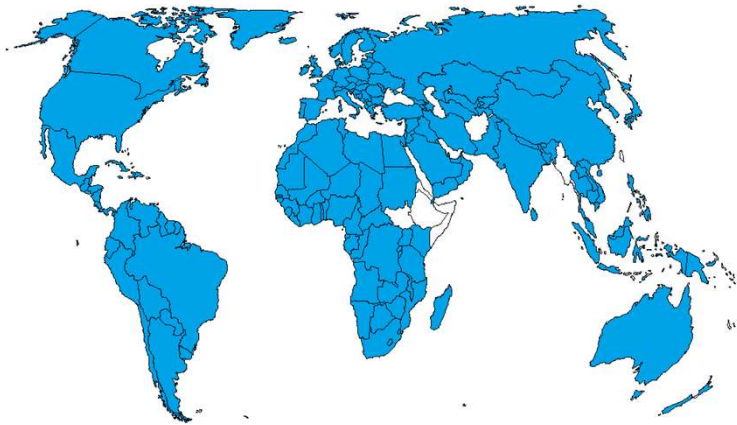
- five issues for future work
  - (i) exceptions and limitations
  - (ii) quality of patents
  - (iii) patents and health
  - (iv) transfer of technology
  - (v) client-patent attorney privilege
- SCP/32: June, 2020 ?

# Multilateral treaties administered by WIPO on Patents



# The Paris Convention

This international agreement was the first major step taken to help creators ensure that their intellectual works were protected in other countries. It applies to industrial property, including patents, utility models and the repression of unfair competition.



*Entered into force on March 20, 1883*

177

Contracting  
States

+ WTO Members not parties of  
the Union (see TRIPS Art. 2)

Art. 19 allows “specialized  
agreements” such PCT, PLT, EPC,  
ARIPO, OAPI and EAPC

<http://www.wipo.int/treaties/en/ip/paris/>

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# The Budapest Treaty

Facilitates the international disclosure of biotechnological inventions through the deposit of a microorganism with an international depository authority (IDA)



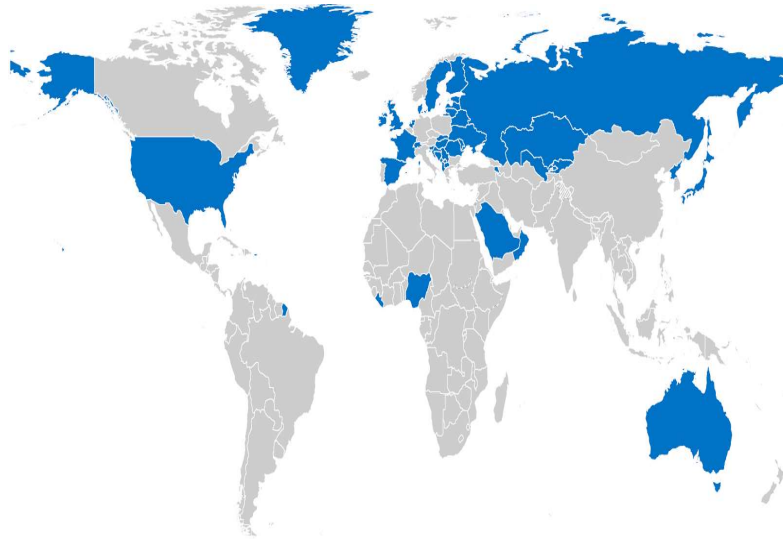
*Entered into force on August 19, 1980*

82 Contracting States  
47 IDAs  
107,690 Microorganisms deposited by the end of 2017

<http://www.wipo.int/budapest/>

# The Patent Law Treaty (PLT)

Aims to harmonize and streamline of formal procedures with respect to national and regional patent applications, making such procedures more user friendly.



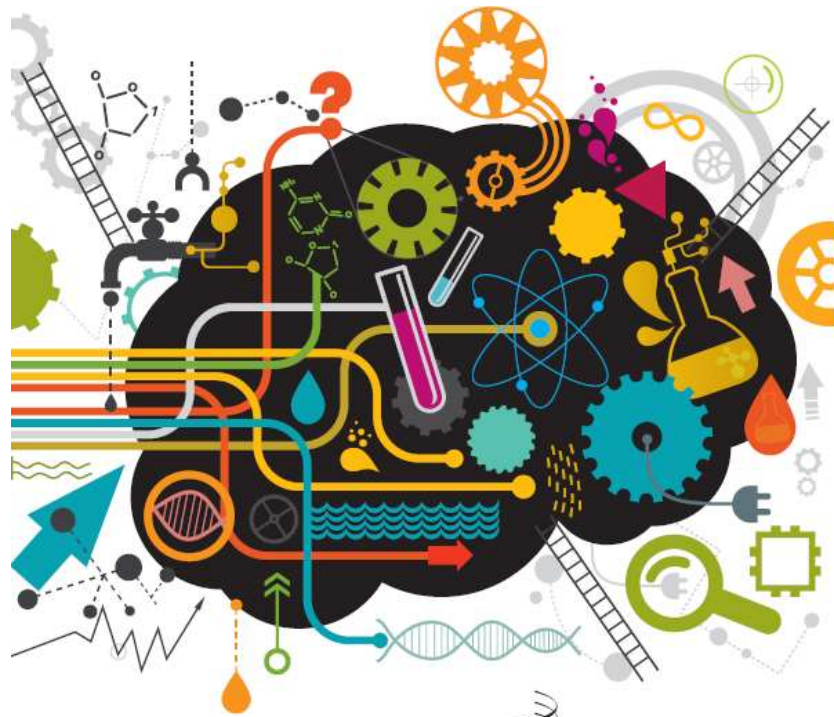
*Entered into force on April 25, 2005 and today includes **42 contracting parties***

## The PLT's Contribution

- Provides a familiar set of patent formalities for easier access, enhanced legal certainty and reduced cost
- Includes procedures that reduce the risk of losses due to formalities, including relief for missed deadlines and reinstatement of rights

<http://www.wipo.int/treaties/en/ip/plt/>

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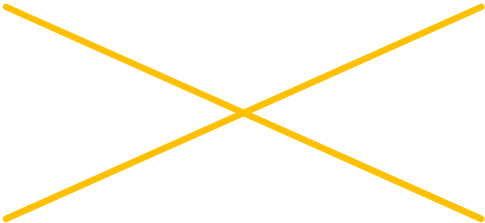
# The Inventor Assistance Program (IAP)

*Helping under-resourced inventors navigate the patent system*

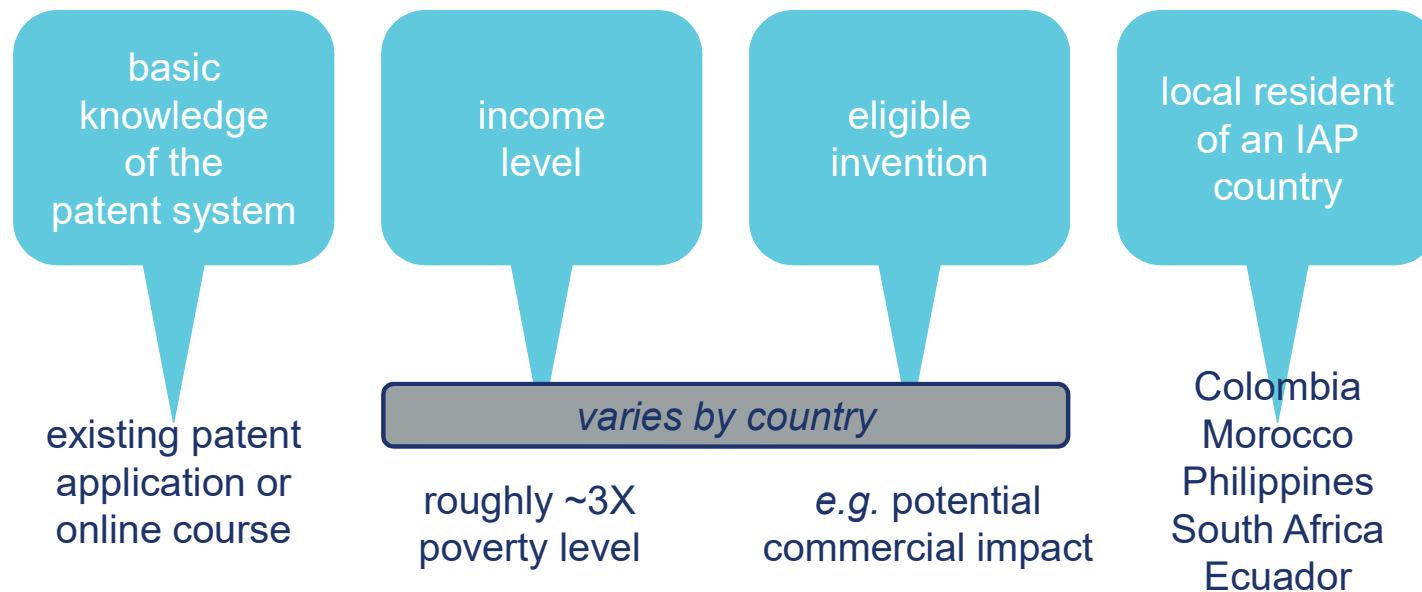




are abandoned before

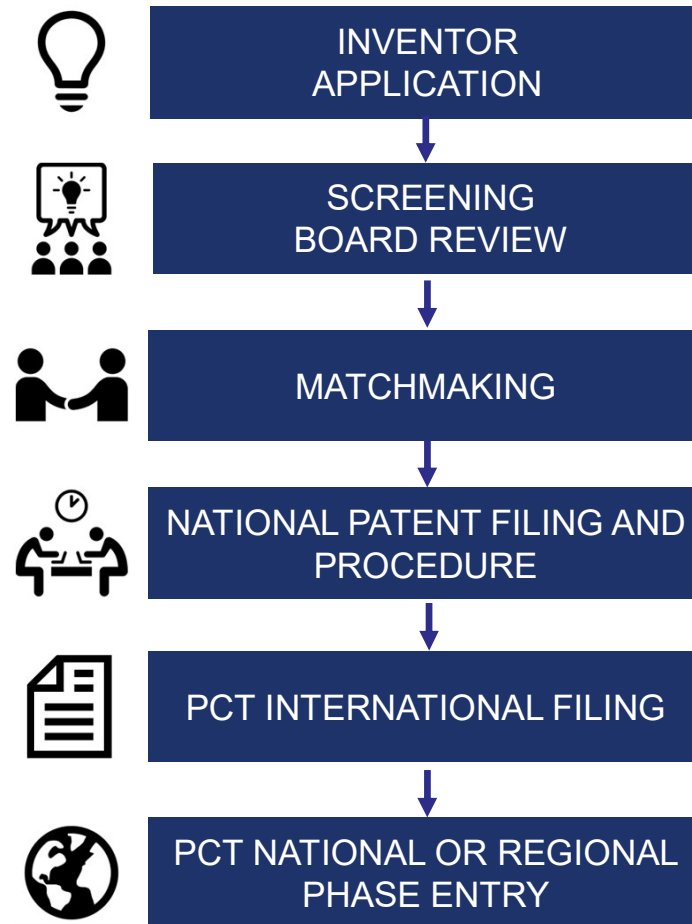


# How Inventors qualify for the IAP



# HOW THE IAP WORKS

HELPING UNDER RESOURCED  
INVENTORS PROTECT THEIR IDEAS



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# Status of the IAP

May 2020



2015  
pilot  
program

2016  
formal  
launch

69  
inventions  
selected

6  
patents  
granted

138  
patent  
specialists

<http://www.wipo.int/iap/>

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# PARTICIPATING IN THE IAP

AN OVERVIEW FOR PATENT SPECIALISTS



Register to become an IAP volunteer by visiting:  
<http://www.wipo.int/iap>



volunteer search for patent specialist to support local filing or PCT national phase

6 months before national phase entry deadlines



volunteer contacted to confirm availability and perform conflict check

response requested by volunteers in 10 days



relationship between inventor and volunteer (and local patent specialist)

local volunteer updates case milestones

