



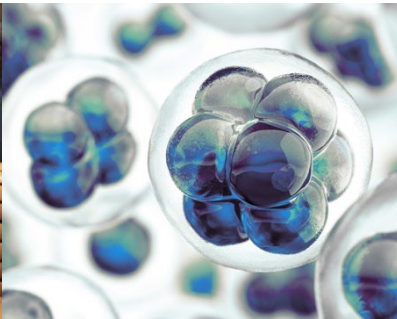
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# IP5 NET/AI task force: Status update

## IP5 Industry Consultation Group



Korean Intellectual  
Property Office

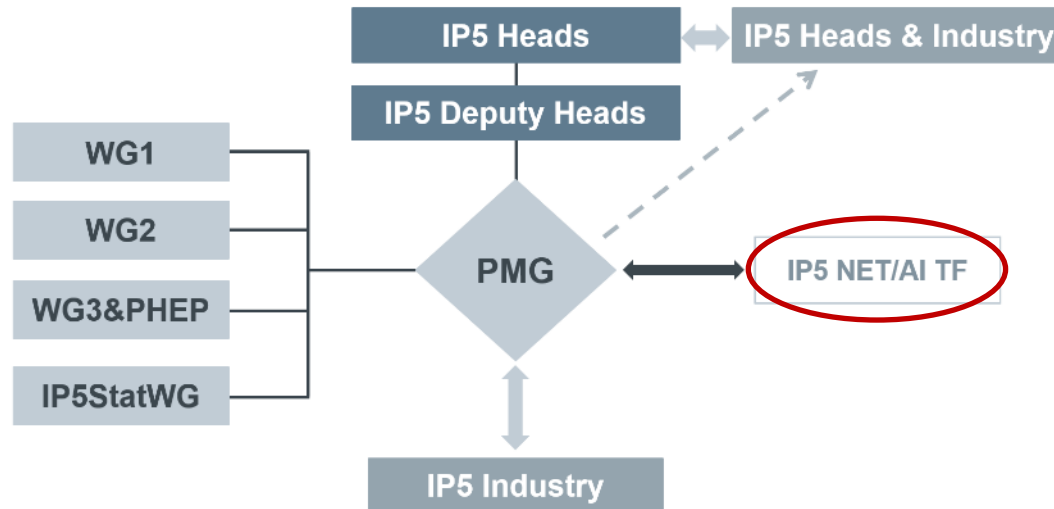


# Background

- June 2018: IP5 Heads of Office identified AI as a major strategic priority for IP5 co-operation
- January 2019: EPO-KIPO proposed IP5 NET/AI task force and presented detailed project brief
- June 2019: IP5 Heads of Office agreed on creation of task force
- January 2020: First IP5 NET/AI task force meeting
- July 2020: IP5 Heads of Office agreed on the scoping document from IP5 NET/AI task force

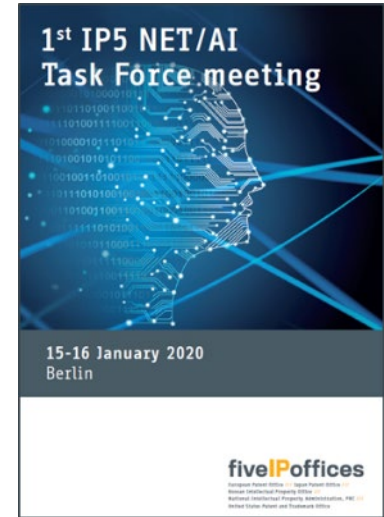
# IP5 NET/AI task force

- Objective:
  - identify and coordinate NET/AI related issues
  - develop a roadmap for potential joint work by the IP5



# First IP5 NET/AI task force meeting

- Scoping document: first milestone
  - Area 1 - Legal aspects of NET/AI
  - Area 2 - IT aspects/utilisation of NET/AI
  - Area 3 - Strategic outlook



# IP5 NET/AI task force



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## First IP5 NET/AI task force meeting takes place in Germany

17.1.2020 - Representatives of the IP5 Offices and WIPO held their inaugural meeting of their joint task force on new emerging technologies and artificial intelligence (AI) in Berlin on 15 and 16 January 2020.

The IP5 NET/AI task force took stock of existing NET and AI-related projects both in the various IP5 working groups and at the individual offices and discussed possible areas for IP5 co-operation.

[Summary report](#)



## First IP5 NET/AI task force meeting 15-16 January 2020, Berlin, Germany

### Summary

In 2019, the IP5 Offices decided to advance their co-operation in the areas of new emerging technologies (NET) and artificial intelligence (AI) and agreed to set up an IP5 task force to coordinate IP5 initiatives and develop a roadmap for possible joint projects in these areas.

The IP5 NET/AI task force comprised of representatives from the IP5 Offices and WIPO met for the first time in Berlin, Germany on 15 and 16 January 2020.

In their first meeting, the IP5 NET/AI task force members took stock of existing NET and AI-related projects both in the various IP5 working groups and at the individual offices and discussed possible areas for IP5 co-operation focussing primarily on legal and IT aspects.

In particular, the task force explored ways to promote legal certainty, establish clear guidance and support users in protecting their NET/AI-related innovations globally. The application of NET and AI was discussed with a view to enhancing efficiencies in office operations and user services. The task force members also contemplated a long-term approach regarding strategic opportunities and challenges resulting from NET/AI.

Task force members discussed outreach to interested user circles, e.g. via the IP5 website. They agreed to consider the appropriate interaction model with industry on a case-by-case basis, as well as use of existing communication channels, such as the Global Dossier Task Force (GDTF) and Industry Consultation Group (ICG) meetings. The IP5 NET/AI task force set up a time table for next steps in the scoping exercise, which will form the basis for developing a roadmap for future IP5 projects and initiatives.


Information on first IP5 NET/AI task force meeting in Berlin, January 2020

Dedicated NET/AI web page in preparation

[www.fiveipoffices.org/news/20200117](http://www.fiveipoffices.org/news/20200117)

# Scoping document (1)

## Mapping areas of co-operation on NET/AI

			
<p><b>IP5 NETAI Task Force</b></p> <p><b>Scoping document</b></p>	<p>5. The TF is of the view that the IP5 Offices should endeavour to address this uncertainty, facilitate better understanding of the applicable legal frameworks and practices, particularly as regards, but not limited to, issues such as patentable subject-matter, novelty and sufficiency of disclosure. This should be done by pursuing a pragmatic approach and concentrating efforts on the mapping of differences and similarities in the applicable laws and practices, the promotion of user awareness and guidance to IP5 examiners. Ultimately, such efforts should promote predictability and consistency as regards the international applicability of NP/TAI outlined inventions, especially for those users seeking patent protection in the IP5 regions. Also, due to the challenges intrinsic to the harmonisation of substantive patent laws the TF understands that the outlined approach holds significant potential and can yield timely results to the benefit of the users.</p>	<p>8. In better understanding how N/TAI can be employed in office operations the IP5 proposes that the IP5 Offices should pursue a phased approach. Initially, collaborative efforts should focus on the identification of challenges in operations that call for business solutions. Subsequently, the specific, underlying business problems that the offices endeavour to solve by utilizing NP/TAI should be clarified and clearly articulated also in consideration of the specific type of information required for each office. Once such information has been collected and processed, the IP5 Offices should be able to share detailed knowledge and know-how that could be adopted for use in other systems and, eventually, consider exchanging data sets. High quality data and the development and use of common or comparable metrics could support those efforts.</p>	<p>promote the IP5 Offices' understanding of key technology trends and market developments which may potentially shape longer-term perspectives on patent protection in the service of innovation and how the offices operate.</p>
<p>1. At their annual meeting in June 2019 the IP5 Heads of Offices endorsed the establishment of the IP5 New Emerging Technologies and Artificial Intelligence Task Force (N/TAI TF) as the IP5 body in charge of coordinating and analysing N/TAI and AI related issues across the IP5 and proposing a roadmap for potential joint work on NET and AI by the IP5 Offices. The approved project plan is annexed.</p> <p>2. In accordance with this project plan and following the first meeting of the IP5 NETAI TF (15 - 16 January 2020, Berlin), the present document outlines the scope for potential joint IP5 activities in the area of NET/AI (scoping document).</p> <p>3. The task force investigated candidate co-operation topics in three different areas: legal, IT and strategic. The resulting candidate co-operation topics will be further analysed and substantiated in the comprehensive roadmap for the IP5 Offices' approach to NET and AI, which will form the basis for specific project proposals by the relevant working groups and recommendations for policy developments.</p>	<p><b>Possible projects</b></p> <p>6. In support of the outlined objectives it is proposed to consider</p> <ul style="list-style-type: none"><li>• developing resource material (e.g. briefing examination practices (such material could utilize case examples available at the IP5 Offices' respective practice manuals, examination guidelines, etc.))</li><li>• conducting comparative case studies elaborating commonalities and differences that could reveal applicable or emerging legal procedures at the IP5 Offices;</li><li>• sharing material and study results with broad stakeholder circles, such as IP5 industry;</li><li>• providing a compilation of useful links to relevant legal texts and resources of the IP5 Offices, e.g. respective sections of examination guidelines, practice manuals, etc.</li></ul>	<p><b>Possible projects</b></p> <p>9. In support of the outlined objective it is proposed to consider</p> <ul style="list-style-type: none"><li>• identifying operational challenges common to the IP5 Offices, clarifying specific legal issues, problems and sharing relevant best practices;</li><li>• gathering information on NET/AI implementation at the individual IP5 Offices;</li><li>• sharing knowledge, know-how and data sets in a structured manner, supported by metrics;</li><li>• exploring whether and how NP/TAI could be utilized in the area of classification.</li></ul>	<p><b>Possible projects</b></p> <p>12. In support of the outlined objective it is proposed to consider</p> <ul style="list-style-type: none"><li>• strengthening the communication and co-operation with stakeholders with a view to better understanding users' needs;</li><li>• developing a catalogue of common policy considerations;</li><li>• keeping up with trends and market developments.</li></ul>
<p><b>Area 1 - Legal aspects of NETAI</b></p> <p><b>Objective</b></p>	<p><b>Area 2 - IT specialisation of NETAI</b></p> <p><b>Objective</b></p>	<p><b>Area 3 - Strategic outlook</b></p> <p><b>Objective</b></p>	
<p>4. Not least due to the complexity and the interdisciplinary character of the subject matter a considerable degree of uncertainty appears to surround issues (related to AI) that involve the patenting of AI related inventions. While each IP5 Office undertakes significant efforts to carry associated practice issues with its domestic users and stakeholders, detailed guidance appears to be lacking on how inventors can best access relevant patent protection for their inventions in multiple jurisdictions and, hence, secure better returns on their investments.</p> <p>1</p>	<p>7. In terms of promoting effectiveness the advancement and wide spread use of NETAI suggests a substantial opportunity for office operations. Despite the differences in the structure of their working methods and procedures, the IP5 Offices essentially operate in a similar manner, handle tasks of rather identical nature and, most notably, encounter common operational challenges to a considerable extent. Hence, it is evident that a joint exploration of the potential of NP/TAI and a concerted consideration of solutions potentially suitable for the business scenarios of patent offices could greatly benefit all IP5 Offices in an equal manner.</p> <p>2</p>	<p>10. In addition to the challenges for patent law and practice, and the potential opportunities for efficiency gains in office operations the rapid development and widespread use of NETAI essentially impact on policy and strategy considerations of the individual offices. While the policy making processes of the IP5 Offices differ considerably, an open exchange as to the "bigger picture" implications of N/TAI for IP, the economy and society at large is useful, if not necessary.</p> <p>11. The TF acknowledges that NETAI already impacts a wide range of stakeholders, such as the patent offices and their examiners, researchers, innovators, industries and the users of the patent system as a whole. A thorough understanding of key trends, but also of problems, needs and expectations of those concerned is essential for an informed, broader dialogue towards formulating balanced policy responses at the individual IP5 Offices. Similarly, continuous information exchange and experience sharing, increased outreach and strengthened engagement with stakeholders can</p> <p>3</p>	<p>4</p>

# Scoping document (2)

## Area 1: Legal aspects of NET/AI

- Promoting legal certainty
- Establishing clear guidance regarding applicable practices
- Supporting users by providing relevant information to increase predictability
- Developing resource materials including existing case examples to illustrate examination practices

## Area 2: IT aspects/utilisation of NET/AI

- Sharing knowledge and know-how
- Identifying common challenges and best practices, including relevant metrics
- Clarifying business problems
- Considering classification matters

# Scoping document (3)

## Area 3: Strategic outlook

- Strengthening communication and co-operation with industry
- Focusing on users' needs
- Cataloguing common views
- Keeping up with the pace of the market



# Next steps (1)



- Roadmap document: second milestone and end-deliverable
  - “vision statement” for IP5 co-operation in the field of NET/AI
- WGs proposed possible projects for the roadmap (end of 2020)
  - 19 candidate project proposals: classification, IT, legal, statistics

## Next steps (2)

- IP5 NET/AI task force to evaluate proposals (February 2021)
  - identification of overlaps/synergies
  - grouping of candidate project proposals in broader cooperation goals
- IP5 NET/AI task force virtual session (early March 2021)
  - completion of evaluation
- Engagement with IP5 Industry
  - via existing communication channels

## Next steps (3)

- First draft version of the roadmap March 2021
  - approval by the IP5 Deputy Heads April 2021
  - approval by the IP5 Heads June 2021
- Final version of the roadmap June 2021
  - communication with IP5 Industry
  - submission to the IP5 WGs
  - preparation of detailed project proposals by the WGs, incl. scope, time lines, resource requirements, milestones, end deliverables, etc.



Thank you for your attention!

