

## **Group B+ statement**

Group B+ reaffirmed its commitment to support improvements to the global patent system for the benefit of users and to provide an effective stimulus for economic growth.

The Group welcomed the progress made over the last year on multilateral initiatives, including expansion of the Global PPH pilot, further development and expansion of worksharing tools including Global Dossier and WIPO CASE, and the continued efforts by PCT contracting states to make improvements to the PCT system.

The Group also welcomed the continued improvements in national and regional arrangements which can contribute to an improved global patent system, including the forthcoming unitary patent and unified patent court.

The Group noted the progress made by the Group B+ Sub-Group on Patent Harmonisation. It endorsed the objectives and principles and associated commentary produced by the sub-group, and agreed that further work should be conducted under the leadership of the sub-group to explore the following areas: non-prejudicial disclosures/grace period (including relationship with third party rights); conflicting applications; prior user rights issues (outside of the grace period); and options for implementation.

Noting the progressive work also done by the Industry Trilateral on patent harmonisation, Group B+ reaffirmed the importance of continued engagement with all interested stakeholders, and encouraged any members who had not yet done so to engage with their domestic stakeholders on this issue.

The Group also addressed the issue of privilege in communications between intellectual property advisors and their clients. Following a productive discussion with user representatives, the Group agreed to continue to work towards a solution on this issue. To ensure consideration of views from a broad range of stakeholders, Group B+ agreed to the publication of a questionnaire seeking views on the problems caused by differences in privilege regimes, and potential solutions. Noting that an international agreement may be difficult to realise in the short term, Group B+ members were in the meantime encouraged to make progress at a national level towards increased recognition of privilege for client attorney communication on the lines discussed by Group B+, bearing in mind industry's view that cross-border certainty can only be achieved by a multilateral agreement.

The Group will continue to provide a forum for bringing forward new ideas to address future challenges.