MEETING OF B+ SUB-GROUP ON PATENT HARMONISATION, LONDON 17-18 MAY 2016: AGREED STATEMENT

Members of the sub-group of Group B+ working on patent law harmonisation met in London on 17-18 May 2016.

Workstreams had previously been established to explore:

- 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.

The sub-group reviewed the outputs from the workstreams, including an initial discussion of the options for the implementation of any agreement reached within the full Group B+.

The sub-group reaffirmed the benefits of achieving further harmonisation amongst the main patent granting jurisdictions and committed to work further with interested stakeholders towards that end.

In particular, the sub-group agreed to produce a set of outline proposals as a common basis for consultation by all members of Group B+, subject to endorsement by the full Group B+ at its plenary meeting next October. The sub-group meeting discussed many of the core components of such a consultation and will continue to work to finalise a draft consultation document for consideration at the Group B+ plenary meeting.

The sub-group noted that in order to ensure a worthwhile consultation it would be important that the outline proposals contain sufficient detail to enable views to be expressed on possible options for moving forward.

The sub-group also agreed to continue to refine its analysis to inform the consultation, including carrying out further work on certain issues.

The sub-group held a joint session at the end of its meeting with members of the Industry Trilateral and exchanged views on respective discussions of patent harmonisation issues.