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**B+/SG/1/5**

**ORIGINAL:** English

**DATE:** 19/11/2014

**B+ Sub-Group  
First meeting  
Alexandria, VA, 19 November, 2014**

SUMMARY NOTE

*prepared by the Secretariat*

## **SUMMARY NOTE OF THE 1<sup>ST</sup> MEETING OF THE B+ SUB-GROUP ON PATENT HARMONISATION**

1. The first meeting of the B+ Sub-group took place in Alexandria, VA, on 19 November 2014. The meeting was chaired by John Alty, CEO and Comptroller General UK IPO, and was hosted by the USPTO, while the EPO acted as Secretariat.
2. The delegations had an exchange of views as to the most effective methods for advancing substantive patent law harmonisation. Consensus emerged that the work of the B+ sub-group should be task-oriented, efficient and transparent. In terms of objectives the sub-group should aim at producing outcomes that would be introduced into the wider B+ process with a view to a discussion of ways forward on harmonisation at the Plenary B+ meeting in October 2015. Similarly, transparency with Industry and national/regional stakeholders remained key to the process.
3. Meeting participants agreed that the sub-group will, at a first stage, endeavour to develop common principles which should cover the package of issues analysed by the Tegernsee Group, i.e. grace period, 18 months publication, treatment of conflicting applications and prior user rights. To this effect the sub-group will utilise available resource materials, such as the analysis of the issues undertaken in the framework of the TG exercise. The sub-group will also identify the principles related to the issue of prior art and will aim to consider all these issues in parallel at its next meeting.
4. Members of the subgroup would then provide feedback on the principles and the implications of these principles for specific solutions to the issues on which the subgroup has agreed to work. The subgroup agreed to meet in the spring of 2015 to discuss how to balance and prioritise principles. The subgroup also agreed to make public the principles it drew up so as to inform industry of the work underway.
5. A first version of a document outlining the principles and their implications shall be ready in consultation with the sub-group B+ delegations in time for the second meeting of the sub-group which is envisaged for spring 2015. At the same time and well in advance of the B+ Plenary it is intended to involve Industry and national/regional stakeholders and solicit feedback as to the content of the document.
6. The subgroup will keep other members of B+ informed of progress and take account of any input from them.