

Standing Committee on the Law of Patents

Seventeenth Session
Geneva, December 5 to 9, 2011

RESPONSES TO THE QUESTIONNAIRE ON EXCEPTIONS AND LIMITATIONS TO PATENT RIGHTS

Document prepared by the Secretariat

1. At its sixteenth session held from May 16 to 20, 2011 in Geneva, the Standing Committee on the Law of Patents (SCP) adopted a questionnaire on exceptions and limitations to patent rights. It agreed that the Secretariat would compile the answers to the questionnaire in a document to be submitted to the seventeenth session of the SCP, and that the Committee would discuss, at the seventeenth session, possible future steps, such as requesting the Secretariat to prepare an analysis of the answers (see paragraph 9 of document SCP/16/8).
2. Accordingly, this document is submitted to the seventeenth session of the SCP, to be held from December 5 to 9, 2011. The document contains, in Annex I, a short summary table of exceptions and limitations provided under the applicable laws of the Member States and regional patent offices which have responded to the questionnaire.
3. In accordance with the WIPO language policy adopted at the forty-eighth series of meetings of the Assemblies of Member States of WIPO (see document A/48/26, paragraph 250(vi)), the compiled answers to the questionnaire found in Annex II is prepared in English only, due to the volume of the responses received.

4. As of October 31, 2011, 48 Member States¹ and one regional patent Office² had responded to the questionnaire. The responses in the original languages are available on the website of the SCP electronic forum at: <http://www.wipo.int/scp/en/exceptions/>.

[Annexes follow]

¹ Albania, Algeria, Armenia, Australia, Azerbaijan, Bhutan, Brazil, Chile, Congo, Cyprus, Denmark, Dominican Republic, El Salvador, Finland, France, Gambia, Georgia, Germany, Greece, Honduras, Hong Kong (China), Hungary, Italy, Jamaica, Japan, Kyrgyzstan, Latvia, Lithuania, Madagascar, Mexico, Monaco, Morocco, Netherlands, New Zealand, Oman, Pakistan, Portugal, Republic of Korea, Republic of Moldova, Russian Federation, Slovakia, Spain, Sri Lanka, Sweden, Turkey, Ukraine, United Kingdom and the United Republic of Tanzania.

² The Eurasian Patent Office.