

Statement of the Delegation of Ukraine
on Agenda Item 10 (ii) “The Standing Committee on the Law of Patents (SCP)”
at the 65th Series of Meetings Assemblies of the Member States of WIPO
(July 11, 2024)

Mister Chair, Dear Deputy Director General Ms Lisa Jorgenson,

Ukraine supports the statement made by the Distinguished Delegation of Moldova on behalf of the CEBS Group.

The Delegation of Ukraine would like to thank the Secretariat, the Chairs of the SCP and the distinguished delegates for their constructive approach to the future work of the Committee and their valuable contributions on such critical issues as limitations and exceptions to patent rights, patent quality, patents and health, and patentability in the context of AI-driven inventions.

We respectfully acknowledge the substantial work of the SCP and WIPO and look forward to the documents, updates and studies to be prepared by the Secretariat for the forthcoming session of the Committee.

Ukraine welcomes the discussion on patent and health topics, as the use of patent flexibilities and access to affordable essential medicines for public health purposes is of great interest to Ukraine and its society, which suffered the largest humanitarian crisis in Europe since World War II due to the Russian war of aggression against Ukraine.

Under these circumstances, we have revised our national IP strategy up to 2030 with great support and coordination from WIPO. In the face of such devastating effects, one of the main strategic objectives of our draft strategy is to protect and strengthen national security by providing the necessary support to the defence and health sectors.

But Russian illegal actions also can be found here, on WIPO platform. Russia continue to misuse WIPO resources to legitimize its military occupation, including providing false information about the addresses of applicants from the temporarily occupied territories of Ukraine through global IP services such as PCT systems. We demand that Ukraine's internationally recognized borders be fully acknowledged in all IP-related contexts, WIPO registries and global services.

In addition, we emphasise in the draft strategy that activities aimed at securing national interests and protecting the lives and health of our people will be fully consistent with international obligations under the EU accession process and the TRIPS Agreement.

Dear Ms Lisa Jorgenson, we express our sincere gratitude to you and the Patent and Technology Law Division for the professional assistance provided by WIPO in improving Ukrainian legislation on patents and utility models, in particular for the comprehensive analysis of the implementation of the Bolar exception, which was kindly provided to our IP Office.

Thank you, Mr Chair.