

Dear Colleagues,

We have reviewed the information provided in your letter dated December 7, 2022 *WIPO: Request for Information Pursuant to the Thirty-Fourth session of the Standing Committee on the Law of Patents (SCP)*. We would like to confirm that on the topics No. (i), (ii), (iii) and (iv) on WIPO website our national practice is up to date- and we do not have any additional inputs.

Our inputs for the preparation of the following (i), (ii), (iii) and (iv) documents, please kindly find below:

- As regards to the topic No. (i), please note that we do not have any information regarding relevant practice or court cases.
- As regards to the topic No. (ii), please kindly find the relevant information attached as an attachment to this email.
- As regards to the topic No. (iii), please note that there is no substantive examination in Lithuania, and all procedures are carried out within the terms provided for in legal acts without the formation of a backlog. Therefore, there is no specific expedited examination program. Any application may be published earlier at the request of the applicant and payment of the relevant fee.
- As regards to the topic No. (iv) related to the preparation of a compilation on how jurisdictions around the world address the issue of *artificial intelligence (AI) inventorship through jurisprudence, legislation and practice*, please note that according to the Patent Law of the Republic of Lithuania (Article 2, paragraph 8), Inventor is a natural person who creates an invention. Applicant is a person filing a patent application or a group of such persons (Article 2, paragraph 11). It is additionally noted that the right to a patent shall belong to the inventor or his successor in title, or the employer, in the case of a service invention. If an invention is made by a person who carries out scientific research, designing, construction works and other works of creative character under contract with a client who finances an appropriate work, the right to a patent for the invention shall be established by such contract. Joint inventors shall, unless they agree otherwise, have equal rights to the patent (Article 10, paragraph 1).

The patent application and the patent must contain the forenames and surnames of the inventor or inventors (Article 12, paragraph 1). Any publication of the State Patent Bureau of a patent application or patent must contain the name of the inventor or inventors (Article 12, paragraph 2). An inventor shall have the right to request that his forename and surname is not mentioned. To that end, he shall have to submit a request to the State Patent Bureau. The State Patent Bureau shall have to proceed accordingly (Article 12, paragraph 3).

Consequently, according to the Patent Law of the Republic of Lithuania the inventor designated in the application has to be a human being (natural person), not a machine (AI). The State Patent Bureau of the Republic of Lithuania would have to reject patent application in which a machine (AI) would be designated as an inventor. Worth noting that up to now we have not received such patent application.

Yours sincerely,

Mykolas Jakutis

Chief Specialist of Legal and International Affairs Division