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AIPPI Study Question 2019

Plausibility

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Vad var frågan?

”Whether plausibility should be considered as a (further) patentability requirement, and if so, how to define its preconditions”

Varför?

“Issue of plausibility is becoming relevant, in some countries, in the chemical and pharmaceutical fields, and may become relevant to other technologies such as those involving artificial intelligence.”

Vad tyckte den svenska gruppen?

“No stand-alone requirement for plausibility but similar to the regime described under Sec 1 above /.../”

Hur blev utfallet?

”There should be no stand-alone ground /.../ based on plausibility. /.../. The introduction of a separate plausibility requirement would create legal uncertainty without a commensurate benefit.

If plausibility is to be examined /.../ it should be considered as one of many elements of the examination of the already existing patentability and validity requirements.”



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