Inputs from Member States and Regional Patent Offices to the Thirty-Eighth Session of the Standing Committee on the Law of Patents

Respondent Information

First Name:

[redacted]

Last Name:

[redacted]

Country:

Finland

IP Office

Finnish Patent and Registration Office

Job title

Chief Legal Counsel

Email address:

[redacted]

Email address confirmation:

[redacted]

Disclaimer:

The information provided in response to this questionnaire is understood to be submitted on behalf of the Member State or regional organization concerned, through its competent authority and in accordance with its applicable official internal procedures.
It is assumed that the person completing and submitting the questionnaire is duly authorized to do so and that the information reflects the official position or practice of the Member State or organization, to the extent possible.

I confirm that I have read and understood the statement above and that I agree with its contents.

i) Study on the determination of inventorship and conditions of foreign filing, with a view to identifying potential challenges for innovators in the cross-border collaborative environment

2. Please list the statutes or guidance documents that patent applicants in your country can consult to inform themselves of the foreign filing requirements and the procedure to follow.

Act on inventions of importance to the defence of the country 15.12.1967/551.

5. Does your jurisdiction's patent law provide for the imposition of a "Secrecy Order" (or other similar national security restrictions) that prohibits or restricts an applicant from filing for patent protection in other jurisdictions?

Yes

What is the nature/impact of this restriction regarding foreign filing?

Finnish legal framework does not include a foreign filing license as such.

The Act on inventions of importance to the defence of the country (15.12.1967/551), section 2 states the following: "If it is obvious that an invention is principally of importance to the defence of the country, an inventor residing in Finland, or his successor in title, may not apply for or authorise another person to apply for a patent for the invention abroad before an application has been filed for a patent for the invention in Finland and before six months have passed from the date the patent application was filed here.

If it is obvious that an invention is principally of importance to the defence of the country, an inventor residing in Finland, or his successor in title, shall file a European patent application within the meaning of the European Patent Convention (Finnish Treaty Series 8/96) or an international patent application under chapter 3 of the Finnish Patents Act with the Finnish Patent Authority."

The Government can expropriate the invention for public purpose.
If the Government has not within six months of the filing of the application made a decision to expropriate the invention for public purpose, the processing of the application shall be continued in the normal order.

For European patent applications and international patent applications the time limit shall nevertheless be:
(1) where a European patent application is concerned, three months from the date of filing the application with the Patent Authority, or, where priority has been claimed, thirteen months from the date of priority claimed; and
(2) where an international patent application is concerned, three months from the date of filing of the international application, or, where priority has been claimed, twelve months and ten days from the date of priority claimed.

A reasonable compensation shall be payable from State funds to the holder of an invention expropriated for public purpose.

A draft proposal for a new Act is expected to be published during the first half of 2026.

7. Please provide any additional information that you feel would be relevant to this study, by attaching the corresponding document (Word, PDF, etc.)

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Final review before submission

Confirmation of submission

I am aware that by clicking "Submit" below, my responses will be sent to the SCP Secretariat.