Statements by the Republic of Kazakhstan on the Agenda Items of SCP/38

Agenda Item 6. Quality of Patents, Including Opposition Systems

Sub-item 3. Statement by the Republic of Kazakhstan on Document SCP/38/6

Expert discussion: "Legal and Policy Measures Applied to the Assessment of Patentability Criteria and Artificial Intelligence as an Inventor."

Mr. Chair,

The Republic of Kazakhstan thanks the WIPO Secretariat for preparing document SCP/38/6, summarizing the outcomes of the expert discussion on the assessment of patentability criteria and artificial intelligence as an inventor.

We note that the rapid development of artificial intelligence technologies creates new opportunities for innovation while also raising questions for patent systems that require further study and international exchange of experience.

Under the legislation of the Republic of Kazakhstan, computer programs and algorithms as such are not eligible for patent protection as inventions. At the same time, when examining applications involving information technologies, the technical character of the claimed solution and its compliance with the established patentability criteria are of particular importance.

As regards inventorship of inventions created with the assistance of artificial intelligence, we note that the current legislation of Kazakhstan recognizes as the inventor the natural person whose creative work resulted in the invention. At the same time, the development of AI technologies highlights the need to further examine approaches to determining the human contribution to an invention and the ownership of rights in the resulting intellectual property.

The Republic of Kazakhstan considers it important to continue expert discussions on these issues within the Committee, taking into account existing national approaches, the need to ensure legal certainty and the importance of maintaining a balance among the interests of stakeholders in patent relations.

Thank you, Mr. Chair.