STATEMENT

of the Delegation of Ukraine under agenda item 6
"Quality of patents, including opposition systems"
at the 38th Session of WIPO Standing Committee on the Law of Patents
(2–6 November 2026)

Thank you, Mr. Chair.

Ukraine aligns itself with the statement delivered by the delegation of Georgia on behalf of the CEBS Group.

The Delegation of Ukraine would like to thank the Secretariat for the preparation of the documents under this agenda item, including documents SCP/38/4, SCP/38/5 and SCP/38/6, and welcome continued discussions on patent quality, emerging technologies, artificial intelligence and their role in the patent system.

In this context, we would also like to express our strong appreciation for WIPO's initiative to organize the first **Global Forum on Intellectual Property and Artificial Intelligence**.

We look forward to participating in the Forum and contributing to its discussions next week.

We recognize the significant opportunities that AI offers to patent offices, applicants and other users of the patent system.

At the same time, Ukraine would like to draw the Committee's attention to an emerging challenge that, in our view, deserves closer examination.

This concerns the capacity of patent offices to manage growing volumes of documents prepared with the assistance of generative AI.

Today, generative AI tools make it increasingly easy, fast and cost-effective to prepare patent applications, responses to office actions and third-party procedural documents.

However, while the preparation of such materials may require considerably less time and resources, their proper review still requires substantial time and effort.

This creates a potential asymmetry between the resources needed to generate large volumes of documents and those required for their proper examination.

Such an imbalance may affect the timeliness and thoroughness of patent examination and, ultimately, the quality and reliability of granted patents.

Ukraine believes that this development may also create new risks of misuse of procedural mechanisms within the patent system.

Such risks could be particularly significant for patent offices operating with limited human and technical resources.

We wish to emphasize, however, that the use of AI in preparing procedural documents does not in itself constitute misuse. Our concern is therefore not to restrict legitimate procedural rights, but rather to explore how their effective exercise can be preserved.

Against this background, **Ukraine invites the Committee to consider a focused comparative study** on the impact of generative AI on patent examination workloads and procedural mechanisms, building on existing WIPO work.

Such a study could focus on three main questions.

First, how the increasing use of generative AI by applicants and third parties may affect the volume, length and complexity of procedural submissions received by patent offices, and the resulting workload of patent examiners.

Second, what risks may arise from the mass or coordinated submission of AI-generated procedural documents, particularly through third-party observations and opposition mechanisms.

Third, what practical and procedural safeguards are available, or could be developed, to help patent offices address such challenges effectively, while fully respecting the legitimate procedural rights of applicants and third parties.

In our view, such an analysis should draw on existing national and regional practices and any available evidence of emerging challenges. It should complement, rather than duplicate, the work already undertaken within WIPO.

We believe that its findings could provide a valuable basis for further exchanges among Member States.

Thank you, Mr. Chair.