



PATENTS CONSULTATION GROUP - MEETING SUMMARY

11 November 2025

The **Patents Consultation Group (PCG)** met on Tuesday, 11 November 2025 via Microsoft Teams and in Sydney. The Chair opened the meeting, performed an Acknowledgement of Country, and welcomed all participants. Members endorsed the Minutes of the meeting held on 6 August 2025. Remembrance Day was observed at 11:00am.

In the discussion on **Computer Implemented Inventions**, the Chair outlined that the application for Special Leave to the High Court to appeal the Aristocrat decision carefully considered legal advice to ensure clarity and consistency in the law. Revised practice information has been published, and IP Australia continues to invite written feedback to refine the manual. IP Australia acknowledged concerns raised and confirmed that written submissions regarding practice will be carefully considered, collated, and actioned.

Work is progressing on introducing a requirement for **Disclosure of Source** within Australia's patent system, following the conclusion of the GRATK Treaty at WIPO in 2024. The initial step towards ratifying this treaty will involve consideration by the Joint Standing Committee on Treaties in Parliament, which is expected to occur during the first parliamentary sittings in early 2026. For any queries regarding patent disclosure of source, stakeholders can contact ikproject@ipaustalia.gov.au.

In the **Free Trade Agreement (FTA)** update, the Comprehensive Economic Partnership Agreement (CEPA) with the United Arab Emirates came into effect in October 2025, strengthening intellectual property provisions between the two nations. Meanwhile, discussions with the European Union continue to address unresolved issues, with Australia maintaining that any FTA must align with national interests. Further details on the UAE CEPA can be found at [Australia-UAE CEPA - Key Benefits for Australia | Australian Government Department of Foreign Affairs and Trade](#).

IP Australia representatives attended the 37th annual session of the **Standing Committee on the Law of Patents (SCP)** at WIPO in Geneva, where discussions centred on national and regional patent law approaches, exceptions to patent rights, and the growing influence of Artificial Intelligence (AI) on the IP ecosystem. Highlights included courts' treatment of AI-related cases, IP offices' use of AI tools in patent examination, and academic perspectives on inventorship from various countries, emphasising the need for human judgement, accountability and transparency. Member states also agreed to future work on professional standards for patent examiners, addressing conflicts of interest, privacy, data protection and consistency. Recordings of the sessions are available from the WIPO Secretariat.

A discussion was held about **Excess Claim Fees** and discontinuing pre-examination reminders for applications with more than **20 claims**—a practice started in October 2024. These reminders allowed applicants six months to amend their claim numbers before examination but have become impractical due to administrative challenges and uncertainty about examination timing. Members expressed mixed support for the notice. Some members were in favour of continuing the notice, whereas other members have their own reminder systems. Suggestions included providing a minimum time before examination can begin in the notices. Additional suggestions included extending the excess claim fee payment deadline to three months or requiring payment at acceptance. IP Australia is welcoming feedback from PCG members and will consider improvements.

An information paper was presented on a new server-based **patent search tool** currently used by the European Patent Office (EPO). While the generated reports will remain similar, updates to the search information statement will clarify classification symbols and keywords. During the transition period, two sets of information may appear in statements. Sequence searching will remain unchanged. Additional quality assurance measures will be in place until June 2026 to ensure effective implementation. For further details, contact salesh.swami@ipaustalia.gov.au.

The PCG meetings have concluded for 2025. Placeholders will be sent in early 2026.

Meeting Summaries of our Consultation Groups can be found on our website: [Consultation Groups | IP Australia](#). For further information, please contact mdb-patents-consultation-group@ipaustalia.gov.au.