

Horizon Scanner – Intellectual Property

AI Patents and AI inventorship

Two recent UK decisions have provided clarity on whether an AI system can be named as an inventor on a patent application, and whether inventions involving artificial neural networks are excluded from patentability.



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Retained EU Law Act

The Retained EU Law (Revocation and Reform) Act received Royal Assent on 29 June 2023, and makes significant changes to EU-based law which come into effect at the end of 2023.



Implementation of Beijing Treaty

The UK government has begun the process of implementing the Beijing Treaty on Audiovisual Performances, an international agreement to provide intellectual property rights in audiovisual performances.

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EU Design Reforms

There has been recent provisional agreement on reforms to the EU design law framework. While we expect the reforms to be finalised in early 2024, there is a 3-year implementation period for the new Directive.



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Copyright and Generative AI

Two recent decisions have begun to give clarity on whether the use and training of generative AI tools is consistent with UK copyright law.



Initial experiences of the Unified Patent Court

The Unified Patent Court ('UPC') has finally commenced. The new Court has changed the patent landscape in Europe by offering users of the European patent system a new option for patent protection and for the settlement of patent disputes across Europe.



Standard Essential Patents and FRAND rates

The European Commission has controversially proposed a new Regulation on Standard Essential Patents which seeks to increase transparency and introduce an alternative dispute resolution mechanism for setting FRAND terms and conditions.