**The fourth Trade Specialised Committee on Intellectual Property under the EU-UK Trade and Cooperation Agreement**

**13 November 2024, 10:00 to 12:30 CET / 09:00 to 11:30 BST (Brussels + Virtual)**

**Meeting Report**

**1. Introduction and Opening Remarks**

The fourth Trade Specialised Committee on Intellectual Property (IP) took place in Brussels on 13 November 2024. The EU and the UK Co-Chairs set the objectives for the meeting, notably the exchange on key developments in intellectual property within their respective jurisdictions since the previous Specialised Committee on Intellectual Property.

The Co-Chairs adopted the agenda as published.

**2. Policy review (policy and legislative developments)**

The EU and UK provided an update on policy and legislative developments in the area of intellectual property.

*EU updates*

The EU presented the state of play of the European Commission proposals on supplementary protection certificates (SPCs), compulsory licensing for crisis management, and standard essential patents (SEPs), underlining that all proposals are under consideration by the co-legislators.

The EU provided an update on the ongoing dispute settlement case against China at the World Trade Organization (WTO) for restricting EU companies from going to a foreign court to protect and use their patents. The EU noted the WTO panel has delayed the publication of the interim report and at the moment there is no further indication as to the timing of its publication.

The EU introduced the latest developments in the area of IP Finance. The EU presented its ongoing actions carried out under the SME fund, including actions to support SMEs in various IP-related activities. In addition, the EU presented ongoing action to raise awareness on valorisation of IP in the valuation of companies by investors. The UK noted convergence in this area and potential for future collaboration.

*UK updates*

The UK presented plans to extend the provision of public performance rights (PPR) to foreign performers. The UK outlined the change to existing law would be limited, whereby the provision of PPR to performers in specific circumstances will be extended, while maintaining the existing rules for producers of sound recordings. The EU asked about the timeline for adoption, which is expected by the end of 2024.

The UK presented the plan to simplify its supplementary protection certificate (SPC) process, as a result of the Windsor Framework. A single UK-wide marketing authorisation will be applicable from 1 January 2025. The EU inquired on the impact of the new regime to paediatric extensions. The UK underlined the new regime will only apply to extension requests lodged after 1 January 2025.

The UK updated on its approach regarding standard essential patents (SEPs), including the launch of the SEP hub. The UK provided a further update on its ongoing international cooperation activities, including the intergovernmental network on the margins of the 57th WIPO General Assembly.

The UK shared its domestic experience concerning IP finance. The UK noted the joint report launched by the World Intellectual Property Organization (WIPO) in collaboration with the UK IPO, which notes the potential of IP valuation and the remaining challenges connected to moving IP financing from the margins to the mainstream.

The EU and UK identified a common interest and agreed to collaborate further on this issue.

*EU and UK updates*

The EU presented its regulatory framework concerning copyright and artificial intelligence (AI), as well as the ongoing work to monitor and support the implementation of the applicable provisions. Particular attention was paid to the opt-out possibility and the Commission’s work in addressing practical challenges related to its utilisation. In addition, the Commission outlined the role and responsibility of the AI Office in supporting the implementation of applicable obligations in the AI Act.

The UK noted its past and ongoing policy-making efforts in the field of AI. The UK mentioned its aim to propose measures which strike the right balance between interested stakeholders. The precise timeline of further action was not specified. The UK noted the potential for joint action on the cross-border dimension of AI.

**3. Exchange on IP enforcement activities**

The EU presented the Recommendation on measures to combat counterfeiting and enhance the enforcement of IPR, addressed to member states authorities and economic operators. The EU presented the five pillars of the recommendation as well as the update to the Memorandum of Understanding on the sales of counterfeit goods on the internet. The UK noted the common challenges and indicated an interest to further collaborate in this area.

The EU presented the latest available data on the enforcement of intellectual property rights at the EU border and in the internal market. The EU outlined the main statistics on the annual results for enforcement of IP rights, including those listing the UK as a country of provenance. The EU inquired on the plans for introducing similar transparency measures. The UK noted ongoing internal work in this area.

The UK presented its ‘'Choose Safe not Fake' campaign targeting beauty and hygiene counterfeits. The campaign, which is part of the UK’s Counter Infringement Strategy, aimed to raise awareness and understanding of IP infringements and associated risks. The EU congratulated the UK on the success of the campaign and noted its positive outcome.

**4. Any other business**

The UK raised support for IP sanctions against Russia and noted the need to seek a solution in the context of the European Patent Office. The EU took note of the UK point.

The EU did not raise any issue under AOB.

**5. Conclusion**

The Co-Chairs acknowledged the comprehensive exchange, underscoring common interests in a range of areas. They exchanged views on the next meeting of the Specialised Committee. The UK looks forward to hosting the next meeting in 2025.

**Participation list**

EU Delegation

• EU Co-chair of the Specialised Committee on Intellectual Property.

• European Commission Officials.

• Representatives of EU Member States.

UK Delegation

• UK Co-chair of the Specialised Committee on Intellectual Property.

• UK Government Officials from the IPO and Foreign, Commonwealth & Development Office.

• UK Mission to the European Union Officials.

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Brussels, 13 November 2024

10:00am – 12:30 (CET) / 9:00am – 11:30 (GMT)

Agenda

(Brussels and via videoconference)

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| 1. | Opening remarks |
| 2. | Policy review (policy developments and legislative developments) |
| 3. | Exchange on IP enforcement activities |
| 4. | AOB |
| 5. | Conclusion |

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