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INFORMATION

From: To:	Presidency Delegations
N° prev. doc.:	CM 1544/26
Subject:	Presidency Flash - Intellectual Property Working Party meeting

Delegations will find attached a Flash note from the Presidency in relation to the meeting of the Working Party on Intellectual Property taking place on 18 February 2026.

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PRESIDENCY FLASH NOTE

3rd Working Party on Intellectual Property

Wednesday, 18 February 2026, 10:00

Dear Colleagues,

We would like to warmly invite you to the next full-day meeting of the Working Party on Intellectual Property on Wednesday, 18 February at 10:00.

WIPO

We will begin our meeting with the coordination for the **52nd session of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC),** which will take place in Geneva from 4 to 13 March 2026. The Commission will first present the proposed line to take, and we will then open the floor to delegations to provide their comments.

Supplementary Protection Certificates (SPCs)

We will then move to the Supplementary Protection Certificates (SPCs) to continue the discussions regarding the legal basis. On 21 January 2026, the IP Working Party exchanged views on a newly envisaged model (doc. 5438/26), aimed to address the concerns raised by the Council Legal Service (CLS) about the use of Article 118 TFEU as the legal basis for the unitary SPC proposals. Following this, the Presidency pursued further exploratory talks with the CLS. These exploratory talks focused on the legal feasibility of relying instead on Article 114 TFEU to achieve certain effects that could, to some extent, correspond to the objectives of the unitary SPC proposals.

We would like to thank the Member States for their valuable feedback and written contributions on the previous document. Taking into account both the outcome of those exploratory exchanges and the written comments submitted, the Presidency has identified some further details of the newly envisaged model for consideration by delegations (doc. 6196/26).

The present overview does not constitute a Presidency proposal. It is intended solely to facilitate an open discussion on which aspects of the newly envisaged approach delegations might consider worth examining and developing further.

Delegations are invited to share their views on this newly envisaged model at the upcoming meeting of the Working Party on Intellectual Property.

We look forward to seeing you on 18 February!

With best regards,
The IP Cyprus Presidency Team

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