MINUTES OF THE WG6 MEETING: Patent Application Strategies and Intellectual Property Support

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COST Action: CA21113 – GeneHumDi
Working Group: WG6 – Regulation, Ethics and Intellectual Property
Associated GP Goal: Facilitate and support patent applications in gene editing
Activity: Follow-up to the Workshop on Patent Application Strategies for Gene Editing Technologies
Date of associated workshop: 13 April 2026
Location: Copenhagen, Denmark



GeneHumDi WG6 *representative members and invited experts during the Workshop on Patent Application Strategies for Gene Editing Technologies, held in Copenhagen on 13 April 2026.*

1. Objective of the meeting

The meeting focused on the follow-up of the activities associated with the GeneHumDi Grant Period (GP) Goal concerning the facilitation and support of patent applications in gene editing. The main objective was to discuss how WG6 can provide practical support to Action participants in the identification, protection and further development of intellectual property arising from genome-editing research. Particular attention was given to the development of practical resources addressing patent application strategies, patentability, access to intellectual property, patent landscape analysis, licensing and Freedom-to-Operate (FTO) considerations.

2. Background and context



Intellectual property protection was identified within WG6 as an important element in facilitating the translation of genome-editing research towards clinical and commercial applications. A dedicated face-to-face workshop was therefore organized in Copenhagen on 13 April 2026. The workshop brought together experts in patent law, biotechnology, biomedical innovation and genome editing and addressed several aspects of the rapidly evolving IP landscape surrounding CRISPR and other genome-editing technologies. The workshop covered topics including patentability, patent drafting and filing strategies, licensing, the European and US patent landscapes, incentives for genomic medicine, access to IP and Freedom-to-Operate. The workshop provided an important basis for the subsequent WG6 discussions and for the development of practical resources for GeneHumDi members.

3. Expert contribution

The Copenhagen workshop provided GeneHumDi members with access to internationally recognised experts in intellectual property, patent law and biomedical innovation.

Ulrich Storz, Patent Attorney, Co-founder and Senior Partner, Michalski Hüttermann & Partner, Germany Ulrich Storz addressed the complex patent situation surrounding **CRISPR-Cas9**, focusing on the challenges associated with obtaining and enforcing patent rights in the context of genome-editing technologies. His contribution highlighted the importance of understanding the distinction between scientific recognition of an invention and the legal requirements necessary to obtain enforceable patent protection.

Franziska Bächler Postdoctoral Researcher, Lecturer and Scientific Manager, Center for Life Sciences Law, University of Basel, Switzerland. Franziska Bächler addressed incentives in genomic medicine**,** discussing the relationship between innovation, intellectual property and the development of genomic technologies.

Jacob S. Sherkow Professor of Law and Medicine, University of Illinois Urbana-Champaign, USA Jacob S. Sherkow discussed CRISPR patent licensing**,** drawing on the historical development of licensing strategies and the lessons that can be learned from previous developments in the field.

Timo Minssen Professor of Law, University of Copenhagen; Founder and Managing Director of the Center for Advanced Studies in Biomedical Innovation Law (CeBIL), Denmark Timo Minssen presented an overview of the European IP landscape in genome editing**, addressing** current trends and possible policy options.

Kevin E. Noonan, PhD Partner, McDonnell Boehnen Hulbert & Berghoff LLP; Co-chair of the Biotechnology Practice Group, USA Kevin E. Noonan discussed the development of the CRISPR patenting landscape in the United States**,** including the major legal and strategic issues that have emerged during the development of the field.

Panel discussion

The workshop concluded with a panel discussion involving Dr. Meliha Negin, Theo Zacharis, MBA, Dr Benabellah Karim and Dr. Leonardo Martin**.** The panel provided an opportunity to discuss practical challenges related to patent protection, licensing, access to intellectual property and the translation of genome-editing technologies.

4. Main issues discussed

Following the workshop, the WG6 representative members held a dedicated follow-up meeting to discuss the main issues raised during the workshop and to identify areas requiring further development in order to provide practical support to GeneHumDi participants.



WG6 representative members *during the follow-up meeting on patent strategies and intellectual property held in Copenhagen on 13 April 2026.*

During this meeting, the members discussed how the knowledge and recommendations arising from the workshop could be translated into practical resources for the GeneHumDi community, with particular emphasis on patent application strategies, intellectual property protection, patent landscape analysis, licensing and Freedom-to-Operate (FTO) considerations. The meeting also provided an opportunity to define the main follow-up actions and potential outputs associated with the GP Goal, including the development of patent application guidelines, practical templates and recommendations for GeneHumDi researchers.

4.1 Patent Application Guideline

The development of a **Comprehensive Patent Application Guidelines Document** was identified as a priority.

Topic	Definition
Identification of potentially patentable inventions	Identifying research results generated within the GeneHumDi community that may have potential for patent protection. This may include new genome-editing tools, editing systems, delivery technologies, therapeutic applications, engineered cells, methods or other technical innovations arising from members' research activities.
Basic patentability requirements	T Understanding the main criteria that a GeneHumDi member should consider when assessing whether a research result may be patentable. These generally include **novelty, inventive step (non-obviousness), industrial applicability and sufficient disclosure** of the invention.
Patent drafting	Understanding how the scientific and technical information generated by GeneHumDi researchers can be translated into a patent application. This includes describing the invention, defining its scope of protection through claims, providing experimental evidence and presenting relevant examples, figures and supporting data.
Timing of patent applications	Understanding when GeneHumDi researchers should seek IP protection for their results. Members should assess potentially patentable findings **before public disclosure**, including publications, conference presentations, abstracts, posters or
Filing strategies	The strategic planning of how and where a patent application should initially be filed and how protection may subsequently be extended. This may involve decisions concerning priority applications, national or regional applications and subsequent international filings.
	Understanding how GeneHumDi researchers can seek protection for their inventions in different countries or

International patent protection	regions where their genome-editing technology may be developed, used or commercialised. International protection should be considered in relation to the scientific, clinical and commercial development strategy of the invention.
Licensing and access to IP	The legal mechanisms through which researchers, institutions or companies obtain permission to use intellectual property owned by another party. Licensing may be required when existing patents or other IP rights are relevant to the development, use or commercialisation of a genome-editing technology.
Patent landscape analysis	A systematic analysis of existing patents and patent applications relating to a particular technology, field or application. It helps researchers identify relevant third-party IP, understand technological trends, identify potential overlaps and assess the competitive and intellectual-property environment.
Freedom-to-Operate (FTO) considerations	The assessment of whether a particular technology, product, process or activity can be developed, used or commercialised without infringing third-party intellectual property rights. FTO is distinct from patentability: an invention may be patentable while its implementation may still require access to third-party patents or licences.

To support the GeneHumDi community in the protection and translation of genome-editing innovations, WG6 identified a number of key intellectual property topics that should be addressed in the future guidance. The aim is to provide researchers with practical knowledge that can be applied to their own genome-editing projects, from the identification of potentially patentable results through to patent filing, licensing, patent landscape analysis and Freedom-to-Operate considerations.

4.2 Patent landscape and Freedom-to-Operate

The meeting identified **patent landscape analysis and Freedom-to-Operate** as particularly important areas for genome-editing research. Participants recognized that researchers need to consider not only whether their own invention may be patentable, but also whether existing third-party intellectual property could affect the development, use or commercialization of a technology. WG6 representative members therefore agreed that the future guidance should explain the relationship between patent protection, access to existing IP, licensing and FTO.

4.3 Standardised patent application templates

The development of **standardised and customisable patent application templates** was also discussed. The templates should help researchers organise the scientific and technical information required when discussing a potential invention with technology-transfer offices, patent attorneys or other IP professionals. The templates are intended as practical tools to facilitate the preparation of patent application files and should not replace professional legal advice.

4.4 Importance of early IP assessment

A further point highlighted during the discussion was the importance of identifying potentially patentable results at an early stage. WG6 emphasized that researchers should consider IP protection **before public disclosure** of potentially patentable results, including through publications, conference presentations or other dissemination activities. This issue will therefore be incorporated into the recommendations developed for GeneHumDi members.

5. Decisions and agreed action

The following actions were agreed among the **WG6 representative members**, with the aim of developing practical resources specifically for the GeneHumDi community:

1. Prepare a first outline of the Comprehensive Patent Application Guidelines for GeneHumDi members, covering key aspects of patentability, patent drafting, filing strategies, patent landscapes, licensing, access to intellectual property and Freedom-to-Operate (FTO).
2. Compile and consolidate the key information and lessons arising from the Copenhagen workshop, incorporating the relevant insights and recommendations provided by the invited patent and IP experts into the guidelines.
3. Develop a practical patent application template for GeneHumDi researchers, providing a structured framework to organise the scientific and technical information associated with a potentially patentable invention before engaging with technology-transfer offices or IP professionals.
4. Develop specific guidance on patent landscapes and Freedom-to-Operate (FTO), tailored to the needs of GeneHumDi researchers working on genome-editing technologies and their translation towards clinical and commercial applications.
5. Prepare practical IP recommendations for the GeneHumDi community, with particular emphasis on the early identification of potentially patentable research results and the importance of

considering IP protection before public disclosure through publications, conferences or other dissemination activities.

6. Explore the involvement of external IP experts, patent attorneys and technology-transfer professionals in reviewing the materials developed by WG6, in order to ensure their scientific, legal and practical relevance to the GeneHumDi community.
7. Prepare a Workshop Report and Recommendations for dissemination within GeneHumDi, summarising the main issues discussed during the Copenhagen workshop, the challenges identified and the recommendations relevant to researchers developing genome-editing technologies.
8. Disseminate the resulting resources among GeneHumDi members, with the objective of increasing awareness and capacity within the community regarding intellectual property protection, patent strategies, licensing, patent landscapes and FTO considerations.

6. Next steps

As the GeneHumDi COST Action is approaching its completion, the WG6 representative members also expressed their interest in **maintaining the collaboration and scientific interaction established within the Working Group beyond the lifetime of the Action**. In particular, the members will explore opportunities to continue exchanging expertise and collaborating on activities related to regulation, intellectual property, genome editing and clinical translation.

Where appropriate, WG6 members will seek to maintain these interactions through **future COST-related opportunities, collaborative research initiatives, other competitive funding schemes and relevant European and international calls**. The aim will be to preserve the network and expertise developed through GeneHumDi and to facilitate the establishment of new collaborative activities and projects beyond the formal duration of the Action.

The resulting resources will be designed to provide GeneHumDi members, in particular and scientific community in particular., with practical, accessible and scientifically relevant guidance to facilitate the protection and further development of innovations arising from genome-editing research.

In this context, the development of the patent-related materials is considered not only as an output of the current Action, but also as a potential basis for **future collaboration, networking and joint activities among WG6 members and the wider GeneHumDi community**.

7. Contribution to the COST Action objectives

The activity directly contributes to the GeneHumDi GP Goal of **facilitating and supporting patent applications in gene editing**.

By developing practical guidance, templates and recommendations, WG6 aims to strengthen the capacity of Action participants to identify and protect innovative results while improving awareness of the broader IP environment, including existing patents, licensing requirements and Freedom-to-Operate considerations.

The activity therefore contributes to the wider objective of GeneHumDi to facilitate the translation of genome-editing technologies towards clinical and commercial applications.