



Media relations
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Media Release

regarding judgment B-2532/2024 of 26 June 2025

Artificial Intelligence is not an inventor

The Federal Administrative Court upholds the rejection of an application to list an AI system as an inventor in the patent register. However, to qualify as an inventor, one must contribute to the artificial intelligence (AI) process and recognise the existence of the invention. In this respect, the appeal was admitted.

A US national made an application to the Swiss Federal Institute of Intellectual Property (IPI) to register a patent for a food container. He requested that his AI system, DABUS, be registered as the inventor since it had allegedly made the invention autonomously. In two subsidiary requests he suggested that the patent be registered without naming an inventor, or else with naming the applicant as the inventor. The IPI rejected the patent application.

The Federal Administrative Court dismisses the applicant's appeal on the first two points, but admits the second subsidiary request. Patent applications must name a natural person as the inventor. A person who contributes substantially to the AI data treatment process, recognises its outcome as a patentable invention, and applies for patent protection also qualifies as an inventor. As a result, the patent examination must be resumed with the applicant as the inventor.

This Judgment may be appealed to the Federal Supreme Court.

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About the Federal Administrative Court

Located in St. Gallen, the Federal Administrative Court (FAC) was established in 2007. With its staff of 395 employees (334 FTE) and its 78 judges (70 FTE) it is the largest federal court in Switzerland. The Federal Administrative Court has jurisdiction to hear appeals against decisions rendered by Swiss federal administrative authorities. In specific

matters, the FAC may grant review on decisions rendered by cantonal authorities. Recourse actions are also reviewed by the Court. The FAC is composed of six divisions. It renders an average of 6,500 judgments every year.