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STANDING COMMITTEE ON THE LAW OF PATENTS

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ADDENDUM TO ACCREDITATION OF A NON-GOVERNMENTAL ORGANIZATION

Document prepared by the Secretariat

1. Document SCP/10/7, entitled “Accreditation of a Non-Governmental Organization” refers to the request of a non-governmental organization to be granted observer status in the sessions of the Standing Committee on the Law of Patents (SCP), according to its Rules of Procedure (see document SCP/1/2, paragraph 6).
2. The Annex to the present document lists two additional organizations, which have also requested observer status for future sessions of the SCP. The information contained in the Annex is based on data received by these Organizations.
3. *The SCP is invited to take a decision on the request for accreditation of the non-governmental organizations referred to in the present document, together with the non-governmental organization referred to in document SCP/10/7, entitled “Accreditation of a Non-Governmental Organization.”*

[Annex follows]

ANNEX

NON-GOVERNMENTAL ORGANIZATIONS WHICH HAVE REQUESTED
REPRESENTATION AS OBSERVERS IN SESSIONS OF THE
STANDING COMMITTEE ON THE LAW OF PATENTS

Center for International Environmental Law (CIEL)

European Generic medicines Association (EGA)

CENTER FOR INTERNATIONAL ENVIRONMENTAL LAW (CIEL)

The Center for International Environmental Law (CIEL) was founded in 1989 to bring the energy and experience of the public interest environmental law movement to the critical task of strengthening and developing international and comparative environmental law, policy and governance throughout the world. CIEL's mission is to protect the global environment and human health while promoting sustainable development. Its work is designed to promote a just and sustainable society that is based on principles of ecology and justice, that respects local communities, and that lives within the limits of the global ecosystem. It is guided by the conviction that transparency and public participation in decision-making are of critical importance.

CIEL recognizes that the rules of ecology place real constraints on our future choices and that the rule of law is critical for forging an appropriate balance between environmental protection, human rights, social equity, and economic growth. CIEL seeks to bring its comprehensive knowledge of international law, institutions and processes to bear on issues important to human health and the environment. As international lawyers for the global environmental community, CIEL is dedicated to using principles of justice and ecology to protect the global environment and promote sustainable development.

CIEL envisions a just and sustainable society that is based on the rule of law, honors local communities and exists within the limits of global ecosystems. It is guided by the conviction that transparency and public participation in decision-making are of critical importance. CIEL has several strategic areas and a number of programs. One such program is the Trade and Sustainable Development Program. This program is based on the notion that global economic policies should not impede but rather should emerge from strategies for sustainable development. The trade program works to incorporate fairness, transparency and accountability in international economic rules and institutions. Intellectual property rules fundamentally affect sustainable development since to a large extent they determine who controls information and technology. The level and scope of intellectual property protection thus influence the flow of technology between developed and developing countries and could affect, for instance, the implementation of environmentally sound technology transfer provisions of Multilateral Environmental Agreements (MEAs). The standards of intellectual protection also impact the control communities have over their traditional knowledge, the access of poor people to medicines, the access to information, and other such issues crucial to sustainable development. To ensure intellectual property rights act as a tool rather than as an obstacle for sustainable development, CIEL works with developing country governments and non-governmental organizations to include sustainable development concerns in current multilateral discussions on intellectual property.

In order to achieve this objective, CIEL has closely monitored and contributed to the discussions on the sustainable development implications of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). Some of its publications on these discussions are available at <http://www.ciel.org/Publications/pubtae.html>.

CIEL has also increasingly followed the discussions at WIPO. It is accredited as observer for the Intergovernmental Committee on the Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), where it has had an active and constructive participation through commenting on diverse documents, coordinating with other

NGOs, and liaising between NGOs and Member countries. CIEL congratulates WIPO for its willingness to allow broad NGO participation in that event and feels the results of this participation have been overwhelmingly positive. Other discussions currently taking place at WIPO are closely linked to sustainable development concerns. The participation of CIEL in bodies such as the Standing Committee on the Law of Patents, the Working Group on the Reform of the Patent Cooperation Treaty, and the Standing Committee on Copyright and Related Rights, would increase the representation of sustainable development interests and promote a more balanced participation of stakeholders. CIEL believes that its participation can, in that way, lead to better policy making. Moreover, since CIEL works with a broad range of partner NGOs all over the world, broader participation in WIPO meetings presents an opportunity for these groups to engage in these discussions about intellectual property policy and provide the information through which WIPO's strategic goal of international intellectual property laws that are responsive to emerging needs, effective in encouraging innovation and creation, and sufficiently flexible to accommodate national policy objectives, can become a reality. In addition, greater participation in WIPO events by CIEL will lead to greater public awareness and understanding of intellectual property, particularly the cultural and social dimension of intellectual property-related issues, as is also part of WIPO's vision.

EUROPEAN GENERIC MEDICINES ASSOCIATION (EGA)

The European Generic medicines Association (EGA) was formally established under Belgian law in 1993. The EGA represents more than 500 European generic and active pharmaceutical ingredient companies (excluding subsidiaries), either directly or through EGA membership of their national associations. EGA membership is pan-European including companies from the EU as well as from Cyprus and several Central and Eastern European countries.

Article 3 of the EGA Statutes defines the objectives of the EGA as follows:

“The objectives of the Association shall be to represent, support and develop the common scientific and technical interests of the generic pharmaceutical industry and bulk chemical producers or national or European associations of such persons, firms, companies or other legal bodies active in the generic pharmaceutical industry or bulk chemical producers. Those interests shall include, Europe as a whole and relations between the European Community and third countries. The Association may not pursue any profit-making interests.”

As the official trade association for the European generic pharmaceutical industry, the EGA is regularly involved in the development of pharmaceutical and industry-related legislation and guidelines. The Association maintains constant dialogue with the European Union institutions and various international, European and national bodies. These contacts include dialogue and exchange of information with the European Commission, the Council of Ministers, Members of the European Parliament, individual patent, health and industry departments of individual Member States of the European Union and Central and Eastern European countries, Heads of Agencies, MRFG, CPMP, EMEA, CADREAC, European Pharmacopoeia, WHO, WTO, other trade associations and non-governmental organizations.

Furthermore, the EGA closely monitors and participates in international negotiations such as the Transatlantic Business Dialogue (TABD) and International Conference on Harmonisation (ICH). The EGA is also a founding member of the International Generic Pharmaceutical Alliance (IGPA), which consists of generic associations from the EU, Canada, USA and India.

The developments in patent law have major impact in the generic pharmaceutical industry. The status of patents defines the point at which the industry may begin its commercial activities. EGA is very interested in following patent developments at the international level. The Association has a Legal Affairs Committee which meets in Brussels several times per year and discusses intellectual property rights issues such as the new EU Directive on enforcement of IP Rights, Bolar provision, data exclusivity, patent extensions, and compulsory licenses.

More detailed information about the association can be found at its website:
<http://www.egagenerics.com>.

[End of Annex and of document]