

AN OVERVIEW 2010 EDITION

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PREFACE



The 2010 edition of WIPO's annual *Overview* provides up-to-date information and concrete examples of the Organization's activities over the past year. Each section reflects the way in which the various programs contribute to meeting our strategic goals, and features examples of recent projects and achievements.

WIPO, a UN specialized agency, is mandated to ensure a balanced, accessible and effective intellectual property (IP) system. With this system facing a variety of stresses due to the rapidly changing external environment, my priority as Director General is to ensure that WIPO is equipped to meet the needs and the expectations of its Member States.

Work within the Organization is underway on many fronts, involving both our traditional, core activities as well as newer areas of focus. These include the search for creative ways of leveraging innovation to overcome problems associated with climate change, food security and public health, as well as developing a global IP infrastructure geared to address the increasing demands on the IP system.

Efforts to facilitate the use of IP for developing and least developed countries have intensified, with the WIPO Development Agenda ensuring that development principles and activities are mainstreamed throughout WIPO's programs. Examples of the implementation of Development Agenda recommendations through specific WIPO activities and projects are highlighted throughout the *Overview*.

Promoting greater understanding of – and respect for – IP, and facilitating informed international debate on IP issues, is central to WIPO's work. The WIPO *Overview* is intended to help explain, in simple terms, how WIPO goes about its work and, together with our Member States, how we seek to support the evolution of an inclusive, international IP system, capable of responding to the realities of today as well as to the challenges of tomorrow.

Francis Gurry
Director General
WIPO

INTRODUCING WIPO

WIPO's headquarters in Geneva house the staff of the secretariat, employed to carry out the wide range of tasks mandated by WIPO's 184 Member States.



The World Intellectual Property Organization (WIPO), a United Nations (UN) specialized agency, is dedicated to the promotion of innovation and creativity for the economic, social and cultural development of all

countries through a balanced and effective international intellectual property (IP) system.

In a world where the economic growth of nations is driven increasingly by the creativity and ingenuity of their people, effective IP systems – which create incentives for innovation, and structures for sharing the results – are key to unlocking this human potential. Intellectual property, once seen as a primarily technical matter for legal experts, is today a high priority for governments, businesses, researchers, academics, individual creators and civil society.

encouraging creativity and innovation

WHAT IS IP?

Intellectual property refers to creations of the mind. It is divided into two categories:

Industrial property includes:

- patents for inventions
- trademarks
- industrial designs
- geographical indications

Copyright and related rights cover:

- literary and artistic expressions (e.g., books, films, music, architecture, art)
- the rights of performing artists in their performances, producers of phonograms (as well as compact discs and MP3 files) in their recordings, and broadcasters in their radio and television broadcasts.

The IP system provides a way for these intangible assets to be owned, disseminated and traded, thus enabling creators or "owners" of IP rights to reap some benefit from











their own work or from their investment in a creation. In this way, the IP system serves its fundamental purposes of stimulating and diffusing innovation and creativity and of contributing to market order. Innovation and creativity increasingly play a role in the development of solutions to such emerging global challenges as climate change, food security and public health.

CORE ACTIVITIES

WIPO is the lead intergovernmental organization dedicated to the promotion and use of IP. Its diverse activities include:

- Administering multilateral treaties and working with Member States to support the evolution of the international legal framework for IP
- Providing global IP services that make it easier and more cost-effective to obtain protection internationally for new inventions, brands and designs; and providing arbitration, mediation and other alternative dispute resolution services
- Assisting governments and organizations in establishing national IP and innovation strategies, developing appropriate
 regulatory frameworks and building the infrastructure and human capacity needed to harness the potential of IP for
 economic development
- Developing technical platforms to facilitate work sharing among IP offices; and developing free databases of registered trademarks, designs and the technological information contained in patents to facilitate access to knowledge
- Building awareness, understanding and respect for IP
- Working in partnership with the UN and other organizations to identify IP-based solutions to climate change, food security,
 public health and other global challenges

This Overview describes WIPO's main areas of activity, grouped according to the Organization's strategic goals, and provides examples of recent highlights and results.

HOW WIPO WORKS

WIPO was established in 1970, following the entry into force of the 1967 WIPO Convention, with a mandate from its Member States to promote the protection of IP throughout the world, through cooperation among states and in collaboration with other international organizations.

FIRST IP-RELATED TREATIES

The 1883 Paris Convention for the Protection of Industrial Property was the first major international treaty designed to help the people of one country obtain protection in other countries for their intellectual creations, in the form of industrial property rights.

The Berne Convention for the Protection of Literary and Artistic Works, the first multilateral treaty in the field of copyright, took effect in 1886. The aim of this Convention was to help nationals of its Member States obtain international protection of their right to control, and receive payment for, the use of their literary and artistic works.

WIPO's Member States determine the strategic direction and approve the activities of the Organization. Delegates from Member States meet in its Assemblies, committees and working groups. WIPO currently has 184 Member States, and 68 intergovernmental organizations (IGOs) and 271 non-governmental organizations (NGOs) are accredited as observers at WIPO meetings.

The main policy and decision-making bodies of WIPO's Member States are the WIPO General Assembly and the WIPO Coordination Committee. There are also assemblies of certain of the unions established under some WIPO-administered treaties – for example, the PCT Union Assembly and the Madrid Union Assembly. Standing committees are established for a particular purpose by the General Assembly. A standing committee or any of the assemblies can decide to set up a working group to examine a particular question in more detail.

The WIPO secretariat is based in Geneva. Its staff, drawn from more than 100 countries, includes experts in all fields of IP law and practice, as well as specialists in, for example, public policy, economics, administration, translation and information technology (IT).

NEW WIPO BUILDING

Construction of a new WIPO office building will be completed at the end of 2010. Work is to begin in 2011 on a conference hall seating 900 that will adjoin WIPO's headquarters. The new hall, designed by Behnisch Architekten of Stuttgart, Germany, gives priority to environmental sustainability. A wooden main structure and interior finishing, natural light, hybrid ventilation combining natural and mechanical means and a cooling system drawing water from nearby Lake Léman are among the most significant environmentally-friendly features of the new hall.

DEVELOPMENT AGENDA

The WIPO Development Agenda, adopted in October 2007 by the General Assembly, consists of 45 recommendations aimed at strengthening the development dimension of all areas of WIPO's work. A priority for the Organization, the Development Agenda is being implemented by mainstreaming its principles and activities into all of WIPO's programs, and a number of projects that respond to specific recommendations are already underway.



The Committee on Development and Intellectual Property (CDIP), established in 2007 by the General Assembly, has a mandate to develop a work program for implementation of the 45 Development Agenda recommendations; to monitor, assess, discuss and report on the implementation of the recommendations; and to discuss any other IP and development-related issues as agreed by the Committee.

STRATEGIC REALIGNMENT

Following the appointment of Director General Francis Gurry in October 2008, WIPO embarked on a major organizational change program designed to better equip the Organization to meet the challenges of the rapidly changing IP environment.

The Strategic Realignment Program (SRP) began by redefining WIPO's strategic-level goals, then progressively bringing the

Organization's structures, cultural values, processes and resources into alignment with the new goals.



Having completed the initial restructuring of programs and resources, the SRP now focuses on implementing a set of multiple, interconnected initiatives grouped under the following four core values:

- Service orientation increasing WIPO's responsiveness to global stakeholders and their satisfaction with the Organization's services
- Working as one working as an integrated, responsive and efficient entity that is fit for purpose and delivers value for money
- Accountability for results taking ownership of performance and achieving results
- Environmental, social and governance responsibility performing in an ethical manner and caring about WIPO's staff, its community and the environment

WIPO'S STRATEGIC GOALS

The nine strategic goals, which provide the framework for WIPO's biennial Program and Budget, are:

- A balanced evolution of the international normative
 International cooperation on building respect for IP framework for IP
- Provision of premier global IP services
- Facilitating the use of IP for development
- World reference source for IP information and analysis

- Addressing IP in relation to global policy issues
- A responsive communications interface between WIPO, its Member States and all stakeholders
- Coordination and development of global IP infrastructure

 An efficient administrative and financial support structure to enable WIPO to deliver its programs

WIPO AND ITS PARTNERS

WIPO cooperates with other UN agencies and specialized bodies in Geneva and around the world, with the aim of ensuring that its activities contribute effectively to UN-wide initiatives and to the achievement of the UN Millennium Development Goals (MDGs).

Among WIPO's partnership initiatives are:

- WIPO External Offices based in New York, Rio de Janeiro, Singapore and Tokyo which help to manage the network of relationships with international, regional and national partner organizations
- its External Relations function, which enables a coherent organizational approach to relations with the external community, including the UN and other international organizations
- its efforts to mobilize Extrabudgetary Resources by seeking out new partners and potential donors able to provide additional resources for development-related projects
- the WIPO Voluntary Fund, created to ensure that indigenous and local communities can take an active part in the discussions of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)

HILDING PARTNERSHIPS



Following a decision by Member States to actively address Recommendation 2 of the Development Agenda, WIPO hosted an International Conference on Building Partnerships for Mobilizing Resources for IP and Development, in November 2009. The conference aimed to support developing countries, with a particular focus on least developed countries (LDCs) and Africa, in accessing resources to promote the legal, commercial and economic exploitation of IP

nationally. Building on existing support from IP offices, the conference sought to forge new partnerships with development agencies and the donor community, as well

as to identify ways in which development might be supported by charitable foundations and through public-private partnerships. The primary areas of focus were: aid for trade; science, technology and innovation for development; and the digital divide.



Development Agenda - Recommendation 2 states that additional assistance should be provided through donor funding to promote the legal, commercial, cultural and economic exploitation of IP, by establishing Funds-in-Trust or other voluntary funds specifically for LDCs, while continuing to accord high priority to financing activities in Africa.

WIPO, WTO AND TRIPS

The World Trade Organization (WTO) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), which came into force in 1995, brought with it a new era in the multilateral protection and enforcement of IP rights. Provisions in the TRIPS Agreement concerning copyright and related rights, patents, trademarks, geographical indications, industrial designs and layout-designs of integrated circuits, complement the international treaties administered by WIPO, and the TRIPS Agreement directly refers to some of these treaties.

In force since 1996, an Agreement between WIPO and the WTO provides for cooperation concerning the implementation of the TRIPS Agreement, such as notification of laws and regulations, and legislative assistance to member countries. Assistance continues to be provided to many developing countries, with a special focus on those LDCs that need to meet their TRIPS obligations by 2013 and, in respect of pharmaceuticals, by 2016.

DEVELOPING IP LAW

Facilitating a balanced evolution of international IP norms and standards is fundamental to WIPO's activities. The process of developing international IP law, standards and practices is driven by Member States and involves extensive consultations with a wide spectrum of stakeholders. The WIPO secretariat coordinates this work with Member States in various committees.

Three WIPO **standing committees** focus on specific legal areas – one on patents; one on copyright; and the third on trademarks, industrial designs and geographical indications. An intergovernmental committee (the IGC) deals with IP issues relating to genetic resources, traditional knowledge and folklore/traditional cultural expressions. The committees are made up of delegates from the governments of member countries, with representatives from IGOs and NGOs participating as accredited observers. In addition, many representatives of indigenous and local communities participate in the work of the IGC.

WIPO administers a group of treaties that set out internationally agreed rights and obligations, and common standards for protecting IP rights, while maintaining a balance with the general public interest. The Organization actively encourages states to accede to these treaties and to enforce their provisions. Widespread accession and consistent enforcement help maintain a stable international environment, inspire confidence that IP rights will be respected around the world, encourage investment and contribute to economic and cultural development.

Development Agenda - Recommendation 15 states that norm-setting shall be inclusive and member-driven; take into account different levels of development; take into consideration a balance between costs and benefits; be a participatory process that takes into consideration the interests and priorities of all WIPO Member States and the viewpoints of other stakeholders, including accredited IGOs and NGOs; and be in line with the principle of neutrality of the WIPO secretariat.

THE STANDING COMMITTEE ON THE LAW OF PATENTS (SCP)

Established in 1998, the SCP's first main task was the negotiation of the Patent Law Treaty (PLT) and its Regulations on the harmonization of patent formalities and procedures. The PLT was adopted in 2000 and entered into force in 2005.

Discussions on a new instrument, a draft Substantive Patent Law Treaty (SPLT), began in 2001 the aim being to harmonize substantive aspects of patent law, focusing on issues such as the definition of prior art, novelty, inventive step/non-obviousness and industrial applicability/utility, the drafting and interpretation of claims, and the requirement of sufficient disclosure of an invention.

While delegations have agreed on a number of issues, it has proven difficult to reach consensus on other topics. Member States put SPLT negotiations on hold in 2006, considering the time was not ripe to agree on a work plan for the SCP.

In June 2008, the SCP resumed its work with a discussion of a **report on the international patent system** containing an overview of current international patent-related issues covering the different needs and interests of Member States. During 2009, SCP deliberations moved forward along a number of parallel tracks. The Committee commissioned five studies – on exclusions, exceptions and limitations, including a public policy, socioeconomic and development perspective; technical solutions to improve greater access to and dissemination of patent information; client-attorney privilege; transfer of technology; and opposition systems – discussion of which is ongoing.

PATENT EXCLUSIONS

Exclusions from patentable subject matter can vary significantly in national and regional legislation. However, certain categories are excluded in many countries:

- Inventions whose use would be in disregard of the public order or morality
- Diagnostic, therapeutic and surgical methods for treating humans and animals
- Plant and animal varieties
- Plants and animals other than microorganisms
- Essentially biological processes for producing plants and animals
- Inventions affecting national security



Photo: iStockphoto.com / Olga Milkina

THE STANDING COMMITTEE ON TRADEMARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS (SCT)

Years of negotiation in the SCT led to the adoption, in 2006, of the Singapore Treaty on the Law of Trademarks, which provides simplified and internationally harmonized administrative rules for trademark registration. It expressly mentions non-traditional types of marks, such as hologram marks, motion marks, color marks and marks consisting of non-visible signs, without creating an obligation for their registration.

The Singapore Treaty recognizes the advantages of electronic filing and communication facilities, while taking into account the different needs of developing and developed nations. Integral to the Treaty is a commitment by developed countries to provide technical assistance and other support to strengthen the institutional capacity of developing and least developed countries, enabling them to more fully benefit from the Treaty.

The SCT has defined areas for further development of the international law of trademarks, industrial designs and geographical indications. It has taken an in-depth look at Member States' legislation and trademark office practice in relation to the registration of three-dimensional marks, color marks, sound marks and other types of marks, such as motion marks, position marks, hologram marks, slogans, and smell, feel and taste marks. This work has led the SCT to agree on certain areas of convergence concerning the representation and description of non-traditional marks, that can serve as a reference for trademark

offices as well as trademark owners and practitioners seeking to use new marketing and advertising techniques that require flexibility in the means used to identify goods and services. At a June 2010 meeting of a working group under the Singapore Treaty, members agreed to define standards concerning the representation of three-dimensional marks, hologram, position, motion, color and sound marks. The working group will recommend that the regulations under the Singapore Treaty be amended by the Singapore Treaty Assembly in September 2010, to include binding standards for these marks.

INDUSTRIAL DESIGNS

WIPO's normative work on industrial designs focuses on maintaining and developing a balanced international legal framework that is responsive to the needs of designers, right holders and consumers, and takes into consideration new technical and sociocultural features. This is a complex area, with different options for protecting designs ranging from *sui generis* design laws, design patents and unregistered design systems, through to copyright and trademarks. Hardly any other subject matter within the realm of IP is as



difficult to categorize as industrial designs. This has significant implications for the means and terms of protection. If the design of a given object can be categorized as a work of applied art, for example, then it may be eligible for protection under copyright law, with a much longer term of protection than the standard 10 or 15 years under registered design law. Were, for example, the Cantilever chairs designed by Dutch architect and designer Mart Stam simply items of furniture, or also works of applied art?

With a view to advancing its **normative work on industrial designs**, the SCT has made an in-depth analysis of Member States' industrial design law and practice and is examining possible areas of convergence in that field. Work has advanced, in particular, with regard to industrial design registration procedures.

GEOGRAPHICAL INDICATIONS

Geographical indications (GIs) are signs used on goods that have a specific geographical origin and possess particular qualities or a reputation due to that place of origin — such as "Prosciutto di Parma" or Parma ham from the Emilia-Romagna region of north-central Italy. While GIs clearly have value as a marketing tool, international opinion is divided as to the best way to protect them.



WIPO encourages the use and protection of GIs, and supports Member States in whichever approach they follow, within the applicable international legal framework. The Organization holds regional and international symposia on the various issues relating to GIs and organizes forums in which the different stakeholders can exchange information and experiences.

STATE EMBLEMS, OFFICIAL HALLMARKS AND EMBLEMS OF INTERGOVERNMENTAL ORGANIZATIONS

Since 2009, all signs protected under Article 6 *ter* of the Paris Convention, which were communicated to states party to the Convention or WTO members through the intermediary of WIPO, are available free of charge in a fully searchable database – "6 *ter* Express"

THE STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS (SCCR)

Copyright and related rights conventions are legal instruments that protect the rights of creators, performers, producers of phonograms and broadcasters, and contribute to the cultural and economic development of nations. Copyright and related rights fulfill a decisive role in safeguarding the contributions and rights of the different stakeholders in the cultural industries, and the relation between them and the public.

The work of the SCCR focuses on developing international norms and standards in the area of copyright and related rights. At its December 2009 session, the Committee decided to accelerate its work on copyright exceptions and limitations for the benefit of the blind and persons with print disabilities. In this connection, in June 2010, the SCCR noted progress in implementing practical measures to facilitate access to copyright-protected, published works in accessible formats and in a reasonable time frame. This includes the ongoing work of the stakeholders' platform and the recent launch of an online forum to broaden awareness and stimulate debate on the issue. The SCCR's deliberations also involved evaluating whether to recommend that the WIPO General Assembly convene a diplomatic conference on a WIPO treaty for the protection of

audiovisual performances. The Committee continued to discuss the protection of broadcasting organizations and examined the first and second parts of a study on the socioeconomic impact of the unauthorized use of broadcasting signals. A series of regional seminars are being held to identify views on the objectives, specific scope and object of protection of a possible draft broadcasting treaty with a signal-based approach. For the first time, WIPO had the Committee's deliberations in June 2010 transcribed and transmitted in real-time captioning for the hearing impaired.

MEETING THE NEEDS OF THE VISUALLY IMPAIRED

The proliferation of digital technologies has added a new dimension to the question of how to maintain a balance between the protection available to right owners and the needs of specific user groups. Those seeking to benefit from reasonable exceptions to and limitations on copyright protection include more than 314 million persons worldwide who are blind or have print disabilities. WIPO has developed a website, www.visionip.org, to provide a platform for initiatives in the IP field aimed at facilitating access to information and cultural content by visually-impaired persons. Vision IP supports the UN inter-agency effort to "deliver as one" in promoting and providing equal opportunities for disadvantaged groups.



A training course co-organized by WIPO and the United States Copyright Office in March 2010 aimed to improve understanding of the elements of domestic and international copyright law relevant to making books, films and other copyright-protected content accessible to persons with print disabilities. Participants explored measures for providing relief and considered the obstacles to and limitations on access to the relevant technologies across national borders.

WIPO also promotes the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT), known as the **WIPO Internet Treaties**. With the ratification of these treaties by the European Union (EU) and its member states, in December 2009, the number of states party to each treaty increased to 88 (WCT) and 86 (WPPT). The SCCR will continue to address aspects relating to the implementation of these treaties, in particular the interplay of law and technology on issues such as provisions on technological measures of protection and rights management information.



In September 2009, WIPO Director General Francis Gurry signed an agreement with the International Federation of Musicians (FIM) and the International Federation of Actors (FIA) to support efforts to recognize the significant contributions made by actors and musicians around the world and, in particular, to help improve the status of performers in developing countries. WIPO also signed an agreement, in June 2009, with the International Federation of the Phonographic Industry (IFPI) aimed at promoting, developing and supporting efforts to defend the music industry, and rights related thereto, worldwide.

COPYRIGHT IN THE DIGITAL ENVIRONMENT

WIPO provides a forum for discussion and awareness-raising on important questions related to the use of copyright in the Internet environment, such as the emergence of new forms of licensing and the importance of digital identifiers for content and rights.

- Work progressed during 2009 on improving understanding of the possibilities for commercial exploitation of copyright in the digital environment. WIPO focused on the role of copyright in the development of computer software, and on new business models for purveyors of entertainment content in the digital environment.
- The SCCR continues to examine a conceptual framework for the interplay between automated rights management technologies and copyright limitations.



COLLECTIVE MANAGEMENT OF COPYRIGHT

WIPO assists countries in setting up or modernizing collective management organizations (CMOs), developing automated systems for rights management to enhance access to international markets, and preparing model contracts and guidelines. CMOs are of great value to holders of copyright and related rights – such as authors, composers, performers, publishers and producers – and help them to manage and benefit from their rights. Support is provided to CMOs to ensure rights management systems are made available in developing countries and are compatible with international systems.

THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE (IGC)

A globalizing economy and advances in communication and life sciences technologies have exacerbated concerns of indigenous and local communities that their traditional knowledge systems and cultural heritage are increasingly exposed to unfair misuse and misappropriation. These communities look to appropriate ways of preserving, promoting and protecting their cultural and intellectual heritage as a means of sustaining their cultural integrity and promoting their own sustainable economic development consistent with their collective values. WIPO's work in this area examines the role IP principles can play in promoting community-led economic development and benefit-sharing in ways that respect indigenous cultural heritage as both a cultural and economic asset. The IGC is currently engaged in text-based negotiations towards the development of international legal instruments for the effective protection of traditional knowledge (TK) and traditional cultural expressions/ expressions of folklore (TCEs), and for dealing with the interface between IP and and genetic resources (GRs).

TRADITIONAL KNOWLEDGE SHARING

A project to create a Center for Traditional Knowledge in Food and Medicine in the State of Kerala, India, includes systematic documentation on TK concerning plants used as food or medicine, research and development, product development, patenting, technology transfer and benefit-sharing, as well as a searchable electronic database. The institution will network with WIPO, international patent authorities and regional patent offices, as well as biodiversity authorities, research organizations and industry.



The policy and norm-building work of the IGC is only part of WIPO's program on TK, TCEs and GRs. The Organization offers an extensive capacity-building program on TK, TCEs and GRs, demand for which is intensifying and diversifying. A key challenge is to fashion practical tools that can enable indigenous and local communities to protect their TK, TCEs and GRs in ways consistent with the interests and value systems they identify for themselves. Capacity-building resources available from WIPO include legislative information, practical training programs, and IP guidelines and information technology tools for managing IP issues when digitizing intangible cultural heritage – being developed within the **Creative Heritage Project** – as well as a toolkit for the protection of communities' interests when TK is documented. The program also addresses the protection of handicrafts.

Many Member States call for concrete results from the IGC after some 10 years of work and, in accordance with **Development Agenda** Recommendation 18, have urged the Committee to accelerate its efforts. In October 2009, Member States renewed the mandate of the IGC, adopting clearly defined terms of reference to guide the Committee's work over the next two years. The IGC will undertake negotiations with the aim of reaching agreement on the text of an international legal instrument (or instruments). Building on its previous work, the Committee will submit to the 2011 General Assembly the text (or texts) of an international legal instrument(s). In May 2010, the IGC agreed to establish intersessional working groups to support and facilitate IGC negotiations by providing legal and technical advice and analysis. The first such working group met in July 2010 for an intensive drafting session focusing on TCEs.

INDIGENOUS COMMUNITIES - SAFEGUARDING CREATIVE HERITAGE

Digital technologies and the Internet offer wider possibilities for the preservation, protection and revitalization of TCEs and TK. Recorded and disseminated in digital form, traditional music, designs and art can reach new audiences in niche markets, thereby









promoting development of the community that created them. But this can also result in their misappropriation and misuse, as safeguarding efforts sometimes unwittingly lead to the unauthorized commercial exploitation of culturally-sensitive materials. Indigenous communities,

museums, archivists and researchers have therefore called for guidelines on the IP issues and options that arise in this area. The WIPO **Creative Heritage Project** provides hands-on training on cultural documentation, archiving and IP management, as well as cutting-edge recording equipment to participating communities.



PROTECTING IP AT ARTS FESTIVALS

In 2010, WIPO published a study it commissioned on IP Management for the Festival of Pacific Arts. Focusing on the festival that will take place in the Solomon Islands in 2012, the study is a practical handbook for arts festival organizers on managing IP issues in that special context. It includes advice, best practices and model IP resources.

WIPO publication on *Intellectual Property Issues and Arts Festivals*

THE WIPO VOLUNTARY FUND

The WIPO Voluntary Fund, created by the General Assembly in 2006, ensures indigenous and local communities have an active voice in the IGC's discussions. The Fund finances the participation in IGC meetings of representatives of indigenous and local communities from all regions of the world. These voices have significantly strengthened the understanding and impact of indigenous perspectives in the work of the Committee, and sessions of the IGC have been opened by an indigenous-chaired panel at which indigenous representatives present their concerns and experiences to the full Committee.

INDIGENOUS IP LAW FELLOWSHIP

The WIPO Indigenous IP Law Fellowship Program, launched in August 2009, responds to the need to strengthen capacity in the rapidly growing domain of indigenous IP law, as well as in IP law and policy for indigenous lawyers and policy advisors. Fellows must be recognized and active members of an indigenous community.

TRADITIONAL CULTURES ON THE INTERNET

In May 2010, WIPO launched a new, streamlined TK website available in English, French and Spanish. It provides direct access to all working documents and other materials related to the IGC process, clear links to capacity-building resources, one-click access to key resources and databases and a link to training programs. The new **Creative Heritage Digital Gateway** features samples of traditional creative content recorded by indigenous and local communities and cultural institutions with WIPO's assistance under the Creative Heritage Project, for example a selection of Mongolian folklore and TCEs produced by the IP office of Mongolia.



DELIVERING GLOBAL IP SERVICES

Innovators and businesses need responsive, streamlined international systems to enable them to protect their intellectual assets in multiple countries. An important cluster of WIPO treaties – covering the international protection of inventions (patents), trademarks, industrial designs and appellations of origin – ensures that a single international registration or application will have effect in any of the relevant signatory states.

The services provided by WIPO under these treaties – the Patent Cooperation Treaty (PCT) System, the Madrid System for the International Registration of Marks, the Hague System for the International Registration of Industrial Designs and the Lisbon System for the International Registration of Appellations of Origin – are intended to simplify application for IP titles in all signatory countries in which protection is sought. Increasing use of the Internet and web-based databases means the potential benefits inherent in such centralized filing or registration systems are greatly enhanced. They offer many advantages for developing as well as developed countries.

WIPO administers these global protection systems and provides a forum in which they can continue to evolve in response to the changing needs of users – be they right holders, their representatives, IP offices or third parties. The revenues from these fee-based services for the private sector account for 90 percent of WIPO's budget.

"Innovation is the space between problem and solution. An effective and balanced intellectual property system plays a vital role in that space."

Francis Gurry, WIPO Director General

AN ENHANCED PCT SYSTEM

In June 2010, PCT Member States attending a Working Group on the PCT System endorsed a series of recommendations to enhance the PCT's contribution to improving the quality of patents granted and to make the international patent system more useful to developing countries. Drawn from a WIPO study on the need to improve the PCT system's functioning, the recommendations include



measures to help reduce the backlogs of some 4.2 million unprocessed patent applications around the world. Appropriate IT mechanisms are to be deployed and systems developed to support technology transfer by promoting licensing and helping to identify information about technologies in the public domain. Further studies will make recommendations on ways to boost the PCT's performance and will explore the possibility of extrabudgetary funding arrangements to finance technical assistance projects.

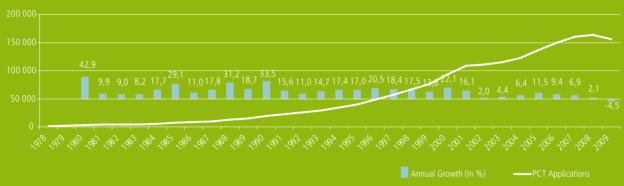
THE PATENT COOPERATION TREATY (PCT)

The most widely used of these systems is the PCT, with 142 members. A multilateral treaty that entered into force in 1978, the PCT offers applicants an advantageous route for obtaining patent protection in multiple countries. A single international patent application under the PCT has the same legal effect as a national application in each country bound by the Treaty. Applicants, patent offices of all PCT Member States and the general public benefit from the PCT system with its uniform formality requirements, international search and preliminary examination reports and centralized publication system. PCT applicants receive valuable information about the potential patentability of their inventions and have more time to decide in which of the PCT countries to continue pursuing patent protection. Thus, the PCT system consolidates and streamlines patenting procedures, postponing the payment of sizeable costs and providing applicants with a sound basis for important decision-making.

- In 2009, 155,900 PCT international applications were filed, representing a 4.5 percent decrease over the previous year. The first-ever year-on-year decline in PCT applications was due to the global economic downturn. However, the decline in filings is not as sharp as had been expected, and last year's results are just under 2007 levels.
- Users of the PCT system increasingly take advantage of electronic filing software for the preparation and filing of PCT international applications. Some 80 percent of all applications are now filed fully or partially in electronic form.

THE PATENT COOPERATION TREATY (PCT) - KEY STATISTICS

Trends in PCT Applications, 1978-2009



PCT Filings by Method of Filing, 1999-2009



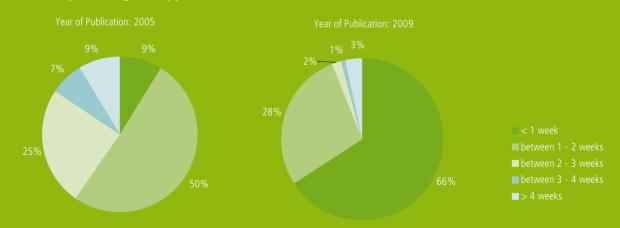
The changing distribution of filings – on paper, on paper plus electronically using the PCT-EASY functionality, or using fully electronic media (EFS-web, PDF, XML).





The unit cost per PCT publication is estimated at 826 Swiss francs in 2009, representing a decrease of 21% since 2004.

Timeliness in publishing PCT applications, 2005-2009



In 2009, WIPO published 94% of PCT applications within two weeks following the expiration of 18 months from the priority date, and 96% within three weeks. This represents a significant improvement over 2005 figures.

- In 2009, the top countries of origin for PCT applications were again the United States, Japan and Germany. The Republic of Korea maintained its position as fourth largest country filer, while China moved into fifth place. International filings in a number of East Asian countries continued to see positive growth in spite of challenging global economic conditions: China (+29.7%), Japan (+3.6%) and the Republic of Korea (+2.1%).
- Developing country filers made increasing use of the PCT in 2009, the largest number of applications coming from the Republic of Korea and China, followed by India, Singapore, Brazil, South Africa, Turkey, Malaysia, Mexico and Barbados.
- Panasonic Corporation (Japan) topped the list of PCT applicants, with China's Huawei Technologies Co. Ltd in second place followed by Robert Bosch GmbH (Germany).
- The largest proportion of PCT applications published in 2009 related to computer technology (8%), pharmaceuticals (7.8%) and medical technology (7.7%). The fastest growing areas were microstructures and nanotechnology (+10.2%), semiconductors (+10%) and thermal processes and apparatus (+7.2%).
- In order to encourage use of the PCT in developing countries, the international filing fee is reduced by 90% for individual applicants (not companies) from an approved list of developing countries and by 90% for all applicants from LDCs.

THE MADRID SYSTEM AND THE HAGUE SYSTEM

The Madrid System for the International Registration of Marks offers trademark owners the possibility to protect a trademark in the territories of the 85 contracting parties to the system, by means of registration of the mark through WIPO on the basis of a single filing. A similar facility exists for industrial designs under the Hague System for the International Registration of Industrial Designs, which currently comprises 56 contracting parties. Both systems offer cost-effective and accelerated access to trademark and industrial design protection in multiple jurisdictions. Data concerning these international trademark and industrial design registrations are accessible online and may be searched by anyone free of charge.

- 35,195 international trademark applications were filed under the Madrid system in 2009 a 16.4 percent decrease relative to 2008, resulting from the global economic downturn. Interestingly, a few contracting parties experienced increases in the number of international applications filed in 2009, including Japan and the European Union (among the top 10 users of the Madrid system), as well as the Republic of Korea, Hungary, Croatia and Singapore.
- Applicants from Germany, for the seventeenth consecutive year, led the list of top filers, followed by users in the European Union, France, the United States and Switzerland. China continues to be the most designated country in international trademark applications.
- By the end of 2009, 515,562 international trademark registrations were in force in the international register, belonging to over 169,939 different trademark holders, including many small and medium-sized enterprises (SMEs).
- Of the total number of international applications filed in 2009, 35.7 percent were transmitted to WIPO electronically.
- WIPO's ROMARIN database, updated daily, contains a detailed history of all international marks in force, together with information concerning pending international applications and subsequent designations. ROMARIN also provides details on all international registrations no longer in force.
- Following a WIPO study on the possible introduction of additional Madrid system filing languages (Arabic, Chinese, Dutch, German, Italian, Japanese, Portuguese and Russian), a pilot project will be implemented involving the participation of interested offices. Introducing additional filing languages would require specific agreements with those offices.

By the end of 2009, Henkel (Germany) was holder of the largest number of international trademark registrations under the Madrid system, with 2,815.



With 136 trademark applications, Novartis (Switzerland) was the largest filer in 2009.



LONGINES - 120 YEARS AS A MARK

First registered in 1889, the Longines brand is the oldest in WIPO's trademark registry. Its name and winged hourglass mark have been actively protected for 120 years, with no change having been made to the original conception. The company marked this special anniversary in October 2009.



- A total of 1,681 international industrial design registrations were made under the Hague system in 2009 an increase of 10.4% over 2008 for a total of 8,872 different designs.
- At the end of 2009, 25,662 international industrial design registrations were in force in the international register, belonging to 7,728 different right holders, with the largest number of holders coming from Germany. Class 9 which covers packages and containers for the transport or handling of goods was the most frequently used Locarno Classification in 2009.
- Recent improvements to the Hague system include the decision to freeze the application of the earliest of the three Acts governing the Hague Agreement, thus simplifying and streamlining overall administration of the international design registration system. Focusing greater attention on the 1999 Geneva Act makes the system more compatible with registration systems in countries where determining the acceptability of an application for industrial design protection is contingent on examination.
- In April 2010, it became possible to file design applications in Spanish. The addition of Spanish as a third working language of the Hague system is expected to boost new accessions and be beneficial to offices and Spanish-speaking users from existing contracting parties.
- Increasingly, international design applications are filed online through the electronic filing interface (E-filing) on WIPO's website, with 51% of applications filed electronically in the first half of 2009 and 61% in the second half of the year.



An electric car designed by Volkswagen (registration number DM/072280), a major user of the Hague system.

THE LISBON SYSTEM

The Lisbon system, with 27 contracting parties, facilitates the international protection of appellations of origin – i.e., geographical indications protected in their country of origin because they have come to designate a product with geographically determined qualities or characteristics. At the end of 2009, a total of 891 appellations of origin had been registered since Lisbon system operations began in 1966 – of which 817 were still in force. The Working Group on the Development of the Lisbon System, set up by the Lisbon Union Assembly to explore possible improvements to Lisbon system procedures, held its first meeting in 2009. In October 2009, WIPO initiated a survey among governments and other stakeholders to ascertain how the system might be made more attractive to current users and prospective new members. In addition to considering the results of that survey, the Working Group is discussing a study on the relationship between regional systems for the protection of geographical indications and the Lisbon system.

BETTER COMMUNICATION

In 2009, the rules governing the Lisbon system were amended to improve accessibility of information regarding the fate of international registrations in member countries. Interested parties will be able to more easily determine the status of protection of an internationally registered appellation of origin in a given member country, through a formal framework for communicating a "statement of grant of protection" well before the expiry of the one-year refusal period following receipt of a notification of international registration.

WIPO ARBITRATION AND MEDIATION CENTER

As the leading resource in alternative dispute resolution for IP matters, the WIPO Arbitration and Mediation Center offers specialized procedures – in particular arbitration, mediation and expert determination – for the resolution of international commercial disputes between private parties. The Center's procedures are designed as efficient and inexpensive alternatives to court proceedings, especially for disputes potentially involving different jurisdictions. The Center maintains an extensive list of specialized mediators, arbitrators and experts (neutrals) from all over the world, available to conduct procedures according to the WIPO Rules. These procedures may take place in any country, in any language and under any law, allowing a great deal of flexibility for the parties.

Parties may elect to use the WIPO Electronic Case Facility (WIPO ECAF) to manage disputes filed under the WIPO Rules. With WIPO ECAF, parties, neutrals and the Center may securely file, store, search and retrieve case-related submissions in an electronic case file from anywhere in the world and at any time.

The Center also works with IP owners and users and their representative organizations towards the establishment of alternative dispute resolution procedures specifically adapted to the particular features of recurrent types of disputes in their areas of activity. Streamlined standard procedures and an efficient case administration infrastructure can facilitate productive use of the IP rights involved.

The Center is the leading dispute resolution service for challenges filed by trademark owners in relation to abusive registration and use of Internet domain names, commonly known as cybersquatting. The entire procedure is conducted online and results in enforceable decisions within two months. The year 2010 marks the 25th anniversary of the first registration of an Internet domain name – for US computer systems firm Symbolics – and there are now some 200 million domain names registered worldwide.

UDRP - 10 YEARS AND BEYOND

In October 2009, WIPO hosted a Conference to mark the 10th anniversary of the UDRP. Adopted by ICANN on WIPO's recommendation, this quick and cost-effective dispute resolution procedure has been much in demand. In December 2009, WIPO launched its new paperless UDRP procedure,



Photo: iStockpho Mikael Damkier

removing the requirement for mandatory filing and notification of paper pleadings. This new service reduces the time and cost involved in submitting UDRP filings, and saves up to one million pages of paper per year, making it greener and virtually paperless. The first case resolved under the paperless procedure ruled in favor of Nokia, which won back control of eight domain names.

- In 2009, 2,107 complaints alleging cybersquatting were filed with the Center a 9.5 percent decrease over the previous year. These cases covered the highest number of individual domain names in a given year (4,688) since the launch of the UDRP.
- In the decade since the launch of the WIPO-initiated Uniform Domain Name Dispute Resolution Policy (UDRP), in December 1999, more than 17,500 UDRP-based cases have been filed with the Center. The Center is actively engaged with the Internet Corporation for Assigned Names and Numbers (ICANN) to bring to its attention circumstances relevant to the proper functioning of UDRP procedures.
- In December 2009, the Center introduced the WIPO Mediation and Expedited Arbitration Rules for Film and Media. Developed in cooperation with industry experts, these new rules and corresponding model contract clauses and submission agreements are particularly appropriate for international entertainment transactions where parties require time and cost-effective solutions to disputes that obstruct ongoing projects.

■ In May 2010, the Singapore Office of the WIPO Arbitration and Mediation Center opened, allowing the Center to focus on promoting alternative dispute resolution services in the Asia-Pacific region.

■ The Center monitors developments related to the protection of IP in the domain name system and undertakes policy work in this regard. An important policy focus for the Center concerns the introduction by ICANN of new generic Top Level Domains (gTLDs). As a result, in part, of WIPO's efforts, ICANN's Top Level Domain draft applicant guidebook incorporates new dispute resolution procedures for trademark owners, for example in relation to the responsibility of domain registries.



a Hodge Photography

FACILITATING THE USE OF IP FOR DEVELOPMENT





Using the IP system to further economic development requires adequate institutional infrastructure. WIPO responds to developing countries, LDCs and countries in transition that request assistance in building these infrastructures

and in formulating and implementing national IP strategies and plans consistent with each country's needs, development priorities and resource base. In all its technical cooperation and capacity-building activities, WIPO works closely with other providers of technical assistance and takes into account the **Development Agenda** recommendations to ensure Member States receive maximum benefit in the most efficient manner possible.

A wide range of programs and activities assists countries in:

- Enabling policymakers to incorporate IP into national development planning
- Modernizing IP administrations, streamlining office operations and human resource development
- Formulating and updating IP legislation and implementing international treaties
- Enhancing professional capabilities, including awareness-raising campaigns and capacity-building tools for SMEs
- Developing and managing IP assets for economic growth
- Promoting innovation by facilitating access to technical knowledge and information and enhancing the capacity to use such knowledge
- Strengthening mechanisms for regional cooperation
- Encouraging public-private sector cooperation to promote greater use of the IP system

Separate regional bureaus within the WIPO secretariat, each benefiting from relevant geographical expertise, act as focal points for the coordination and provision of legal and technical assistance to **Africa**, the **Arab countries**, **Asia and the Pacific** and **Latin America and the Caribbean**. Increasingly, a more structured approach to the process of devising national IP strategies and plans is being taken through detailed country programming and needs assessment exercises, involving consultations with national IP authorities and a wide range of stakeholders.

The specific needs of LDCs are addressed by the LDCs Division through comprehensive technical assistance, including:

- Training with a focus on skills development programs
- IP institution-building to promote product branding for export markets
- Use of appropriate technologies for improving national productivity
- High-level policy dialogue at the ministerial and parliamentary level
- Cooperation with other UN and multilateral bodies

Legal and legislative advice is also provided to these countries, upon request.

Development Agenda - Recommendation 1 established that WIPO's technical assistance shall be, *inter alia*, development-oriented, demanddriven and transparent - taking into account the priorities and special needs of developing countries, especially LDCs, as well as the different levels of development of Member States - and that activities should include time frames for completion. Delivery mechanisms and evaluation processes should be country specific.

In recent years, WIPO has also intensified cooperation with countries in the **Central European** and **Baltic States** regions, **Eastern Europe**, the **Caucasus** region and **Central Asia**. The focus is on their specific requirements as countries in transition, where IP often already plays a prominent role in their accelerated economic and cultural development. As a result, requests for more advanced programs and technical assistance are increasing – in particular for the promotion of innovation and transfer of technology; specific features of copyright systems; the enforcement of IP rights; and promotion of entrepreneurship. WIPO encourages the exchange of experiences, lessons learned and best practices among these countries.

INCORPORATING IP INTO NATIONAL PLANNING

Developing countries face numerous challenges in building the innovation infrastructure and identifying the funding and human resources needed to enable local innovators and research institutions to use IP as a means of owning, protecting and exploiting their research results. Many countries, for example, suffer from a shortage of local professionals who can draft patents, administer, manage, facilitate the production and marketing of IP assets and negotiate technology licensing contracts. WIPO assists Member States in formulating comprehensive IP strategies, and has developed hands-on tools and training programs to help them build sustainable, home-grown capacity in these fields. WIPO has also developed guidelines to help research and development (R&D) institutions in developing countries formulate and implement institutional IP policies.

TECHNOLOGY TRANSFER - THE INOVA SUCCESS STORY

Groundbreaking technology frequently starts out as research in university laboratories. But transferring new technologies successfully from the lab to the marketplace requires access to the right infrastructure, funding and skills. The University of Campinas in Brazil created its own technology transfer office – the Inova Innovation Agency – that has been instrumental in ensuring the fruits of its researchers' ingenuity are not only protected as IP rights but brought to market through technology

licensing agreements with industry. Fentox, a reagent for *in situ* and *ex situ* destruction of environmental contaminants developed by the University's Institute of Chemistry, is now under license to Contech Produtos Biodegradáveis and available in the Brazilian marketplace. Several WIPO programs help universities to use IP in order to benefit from the results of their research. Programs include training in patent drafting and licensing, as well as establishing shared hubs of IP expertise.



Professor Oswaldo Alvez (right) and researcher Odair Pastor Ferreira holding the materials used to produce Fentox

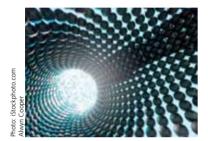
Development Agenda - Recommendation 28 requests WIPO to explore supportive IP-related policies and measures that Member States, especially developed countries, could adopt to promote transfer and dissemination of technology in developing countries.

FLEXIBILITIES AND PUBLIC POLICY

WIPO provides expert and coordinated legislative advice, on a bilateral and confidential basis, in response to requests from individual Member States or regional organizations. Such advice also explores and explains the legal and policy options available to each country under all relevant international treaties, while keeping in view the country's international obligations and its national development and policy priorities. In this context, WIPO's advice responds to questions relating to how developing countries can benefit from the options and flexibilities allowed to them under international IP laws, which have become a major preoccupation for many governments, particularly following the WTO "Doha discussions" on IP and public health.

PUBLIC SECTOR ENCOURAGES NANOSCIENCE

Nanotechnology, or nanoscience, the study of controlling matter at the molecular or atomic level, is expected to help make considerable inroads in fields as wide-ranging as pharmaceuticals, electronics and energy production. Indian public-sector company



Bharat Heavy Electricals Ltd (BHEL) is focusing its R&D efforts in this cutting-edge area. Nanotechnology can also be applied to power plant systems, the improvement of which is an important component of India's strategy to combat climate change. By funding research and innovation in this critical area, the government is encouraging the country to set to work on its own solutions to reduce power plant emissions. BHEL is currently performing beta testing on a novel filter for carbon dioxide and carbon monoxide that uses advanced nanotechnology. The company has filed over 200 applications for IP rights.

WIPO ACADEMY

Developing the human capital of countries is key to their realizing the full benefits of national and international IP systems. The WIPO Academy helps to develop those human resources through numerous education and training programs.

The Academy adopts an international and interdisciplinary approach to IP education through a combination of face-to-face training and online distance learning. Partnerships with more than 25 national IP offices, regional organizations, IGOs and universities enable the Academy to provide practical, customized training on IP. Its programs provide graduate students, government officials, IP offices and other stakeholders with educational services to enhance IP knowledge in order to promote the use of IP for development.

To narrow the knowledge gap, the Academy's programs assist R&D institutions and universities in developing countries in developing skills for creating and managing domestic inventions and home-grown innovations. WIPO Academy courses are offered in English, Arabic, Chinese, French, Portuguese, Russian and Spanish.

"With the training I received from Africa University, ARIPO and WIPO, ... I have come to appreciate the importance of IP and how it can help the economies of developing countries to grow."

Aleck Ncube, June 2010 graduate of the Master's in IP degree program offered by WIPO, the African Regional Intellectual Property Organization (ARIPO) and Africa University



June 2010 graduates of Africa University

- In partnership with national and regional IP offices, the Academy's professional development program organizes training for IP officials from developing countries and countries in transition to help them acquire the skills necessary to contribute to the further development of the IP system in their countries.
- The Academy's **distance learning** program now offers 13 courses ranging from an introduction to IP and the PCT to advanced courses on copyright, IP and electronic commerce, IP and biotechnology, patents, trademarks, arbitration and mediation under the WIPO Rules, patent information searches, patent drafting, and IP management, as well as plant variety protection. Over 12,000 students, of whom 60 percent come from developing countries, are currently participating in the established array of courses.
- Universities in developing countries and in countries in transition are increasingly incorporating WIPO's distance learning courses in their IP syllabuses. The advanced courses the Academy offers on patents, trademarks and copyright include a segment on the **Development Agenda**.
- The Academy's summer school program was held in eight locations around the world in 2009. It enables young professionals and graduate or post-graduate students to better understand the role of IP in the development process.
- In response to **Recommendation 10 of the Development Agenda**, the WIPO Academy assists developing countries and LDCs in establishing national IP academies through the "Start-up IP Academy Project".

REGIONAL NEWS

- Regional groupings in Africa provide valuable platforms for cooperation, such as the African Intellectual Property Organization's (OAPI) pilot initiative to enhance access to and sharing of patent and other commercial and technical information by research institutions and industry groups.
- WIPO assistance in implementing IP strategies, development plans and policies was provided to: Ghana, Liberia, Malawi, Mauritius, Mozambique, Rwanda and Zambia. Countries in the process of formulating policies and strategies are: Cameroon, Côte d'Ivoire, the Democratic Republic of the Congo, Guinea, Mali, Senegal, Seychelles, Uganda and the United Republic of Tanzania.
- Licensing and knowledge transfer agreements were signed between industry in: Ghana, Kenya, Nigeria and the United Republic of Tanzania.
- universities and research institutions or

- In the **Arab States**, capacity-building programs are underway to set up a national innovation strategy for Morocco, an IP strategy for Bahrain, a patent drafting program for Jordan and a technology transfer office for universities and R&D institutions in Tunisia.
- At a regional meeting held in Lebanon, it was recommended to ensure the systematic publication of up-to-date IP information by creating a common statistical database on patents, trademarks and copyright for the region. WIPO is working with the League of Arab States to set up an electronic interface that will link all IP offices in the region.
- An African-Arab Seminar on Copyright Limitations and Exceptions, held in Cairo in November 2009, focused on general themes related to the topic as well as limitations and exceptions for libraries, archives and museums; use of copyrighted works for education and research; and access to copyrighted works for disabled persons.

- Across Asia and the Pacific, work began in a number of countries – including Bhutan, Fiji, Papua New Guinea and Viet Nam – on formulating customized national IP policies and strategies consistent with and complementary to existing national development goals and objectives.
- A series of high-level consultations and meetings were organized on emerging IP issues, enabling policymakers to make informed decisions. These events were complemented by wide-ranging training programs to develop special skill sets for effectively administering the IP system in the region.
- A comprehensive framework was developed for implementing the Traditional Knowledge Action Plan in six South Pacific countries.



Heads of IP Offices assembled to discuss IP policy and strategy, economic development and the role of IP protection in a changing environment at the 2009 WIPO Inter-Regional High-Level Forum on Intellectual Property, held in Beijing.



Designer Cheick Diallo from Mali collects cans and other materials in Bamako, which are then recycled into his award-winning furniture designs.

- In Latin America and the Caribbean, a FIT/Spain regional project to create a platform of IP information and services for the private sector was developed and launched for all countries in the region.
- In Colombia, two new networks were established – on IP and research in the agricultural and energy sectors – with WIPO's capacity-building assistance in the areas of patent drafting, licensing, IP institutional policy and business strategy.
- In Panama, a training program on IP valuation led to an activity that assisted indigenous communities in getting their "molas" on the European textile market.



Ecuadorean folk dancers Nuestro Manantial ("Our Spring") performing with the musical band Siembra ("Sowing") at WIPO Open Day in June 2010.

- The July 2009 WIPO High-Level
 Forum on Intellectual Property for
 the Least Developed Countries
 offered a platform for ministers, senior
 policymakers and high-level officials
 to reflect on the formulation and
 implementation of national IP policies;
 to discuss with international and
 national experts the technical aspects
 of using IP for wealth creation; and to
 examine successful country experiences.
- IP information management centers were launched in Cambodia, Ethiopia and the United Republic of Tanzania, and work has started on the establishment of similar centers in Bangladesh, Nepal and Uganda.
- A capacity-building program for Ethiopia was finalized in the areas of technology licensing and in using IP for development, in particular in relation to trademarks and licensing of its specialty coffee designations.

- In Central Europe and the Baltic
 States, Eastern Europe, the
 Caucasus region and Central Asia,
 WIPO provided assistance in national
 capacity-building, including the
 setting up of relevant knowledge
 infrastructures, in order to enhance the
 inclusion of IP strategies in national
 development plans.
- WIPO is developing a new series of tools for policymakers, experts and practitioners from countries in the region, in particular in the areas of innovation, nation branding, copyright, enforcement, TK, strengthening of SMEs, and the teaching of IP.
- A seminar on paperless technology in patent registration, organized jointly by WIPO and the Eurasian Patent Organization (EAPO), was held in Moscow in April 2010.

Participants at the Moscow International Forum on Intellectual Property in the 21st Century, organized in connection with World IP Day 2010.



GLOBAL IP INFRASTRUCTURE

One of WIPO's strategic goals – Coordination and Development of Global IP Infrastructure – responds to the need for greater technical standardization and work sharing between IP offices around the world in order to help meet increasing demands on the IP system. An enhanced and strengthened international IP infrastructure simplifies the exchange of data and knowledge between offices and maximizes benefits to developing countries by facilitating their participation in the system in accordance with the Development Agenda.

To meet this challenge, WIPO now offers a number of its strategic assets in the form of elements of a unified global IP infrastructure. These include classification tools, IP databases and IP office automation services. WIPO also aims to promote and coordinate the voluntary adoption of best practice infrastructure elements developed by IP offices.

WIPO STANDARDS

In September 2009, WIPO Member States created the Committee on WIPO Standards (CWS), which will continue to work on the revision and development of WIPO standards relating to industrial property information previously carried out by the former Standards and Documentation Working Group. The CWS area of WIPO's website provides access to WIPO standards and related information, including examples of IP office practices as well as their annual technical reports on patent, trademark and industrial design activity.



CLASSIFICATION SYSTEMS

Anyone applying for a patent or registering a trademark or design, whether at the national or international level, is required to determine whether their creation is new or owned by someone else. To do so, vast amounts of information must be searched. Four WIPO treaties maintain classification systems that organize information concerning inventions, trademarks and industrial designs into indexed, manageable structures for easy retrieval:

- Strasbourg Agreement Concerning the International Patent Classification (IPC)
- Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification)
- Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks (Vienna Classification)
- Locarno Agreement Establishing an International Classification for Industrial Designs (Locarno Classification)

These are regularly updated to reflect advances in technology and commercial practices. The classification systems are used voluntarily by many countries that are not party to the related agreements.

- The latest edition of the IPC, which entered into force in 2009, as well as previous editions, are available for consultation online, free of charge. The IPC is currently undergoing reform to simplify its structure, thereby ensuring more consistent search results and wider use by industrial property offices. Development of the IPC will include the progressive integration of local classification systems, as well as the use of an e-Forum.
- NIVILO:CLASS 2.3, containing the latest editions of the Nice, Vienna and Locarno Classifications, is available online, free of charge, and on CD-ROM.

These dynamic tools, with user-friendly navigation and search possibilities, have become indispensable for IP practitioners and industrial property offices around the world.

USING THE SYSTEMS

Leading electronics and software manufacturer, Apple Inc. makes extensive use of WIPO's international registration and filing systems. For example, its Internet-connected multimedia smartphone, the **iPhoneTM**, was the subject of **patent** applications via the PCT to protect its technological innovations, such as technology for communicating and storing information and for message synchronization, as well as a pending patent related to its running on solar re-powered batteries. Apple Inc. also registers international **trademarks** through the Madrid system, such as use of the term "iPhone".

In 2009, some 6 percent of PCT applications published were in the area of telecommunications, making this one of the most popular IPC classes. Trademark registrations followed the same trend: Class 9, which covers telecommunications, was the most frequently used Nice Classification in 2009.

GLOBAL IP INFORMATION SERVICE

In order to keep the Patent Cooperation Treaty (PCT) running, WIPO needs to communicate and exchange documents with more than 100 PCT receiving offices, 14 international search and examining authorities and approximately 110 designated offices. These communications increasingly take place in electronic form, and PCT applications are processed electronically end to end by WIPO. The PATENTSCOPE® database and related IT tools provide the basis for further enhancing the value inherent in patent data and optimizing the disclosure function of the patent system.

WIPO's PATENTSCOPE® Search service provides free access to the more than 1.7 million patent applications that have been disclosed through the PCT system since 1978. These patent applications are a unique record of technological progress over the last 30 years and contain information of important business and economic value. The service is also a portal that gives easy access to an increasing range of current and historical information related to the processing of international applications, which previously was only available by requesting physical copies of the secretariat's files. During 2009, the service was further enhanced to include patent data collections from eight offices: Cuba, Israel, Mexico, the Republic of Korea, Singapore, South Africa, Viet Nam and ARIPO, making it possible to conduct high-quality, detailed and free-of-charge searches of the patent information of these offices. WIPO also responds to requests from patent offices, particularly offices of developing countries, for technical assistance in digitizing their patent collections and disseminating them via the PATENTSCOPE® service.

DEVELOPING A GLOBAL IP INFRASTRUCTURE

The September 2009 **WIPO Global Symposium of Intellectual Property Authorities** focused on the urgent need to develop a global IP infrastructure for promoting science, new technologies and innovation worldwide, and to make the present IP infrastructure increasingly accessible, digital and borderless. Participants agreed on the need to pool efforts at the international level to address the problem of backlogs in patent applications. New initiatives for work sharing in processing patent applications were extensively considered, including Patent Prosecution Highways (PPH).

rdro: Israckphoto.com ndrey Prokhorov

Promotion of an innovation-friendly environment and the role of information technology standards were among the topics debated at the WIPO High-Level Forum on the Global Intellectual Property Infrastructure for Promotion of Innovation, held in March 2010, in Tokyo.

The **WIPO Priority Document Access** service offers applicants a simple and safe digital alternative to filing paper copies of priority documents with multiple patent offices. This new service provides a gateway for IP offices to digital libraries of priority documents, with applicants able to control which offices have access to unpublished applications using an interface on the PATENTSCOPE® website. Development and testing of communication arrangements between WIPO and several pilot offices are ongoing.

Development Agenda - Recommendation 8 requests that WIPO develop agreements with research institutions and private enterprises with a view to facilitating access to specialized databases by national offices of developing countries - especially LDCs, as well as regional and subregional IP organizations - for the purpose of patent searches.

ACCESS TO RESEARCH FOR DEVELOPMENT AND INNOVATION (ARDI) AND ACCESS TO SPECIALIZED PATENT INFORMATION (ASPI)



The aRDi program, a public-private partnership involving WIPO and leading science and technology publishing companies, provides IP offices, universities and research institutes in LDCs with free access, and IP offices in certain developing countries with low-cost access, to selected online scientific and technical journals.

A public-private partnership with major commercial patent database providers launched in September 2010, the ASPI program provides LDCs with free access and certain developing countries with low-cost access to commercial patent databases offering value-added data and sophisticated search and analysis tools.

Both programs help to reinforce the participation of developing countries in the global knowledge economy, and support researchers in developing countries in creating and developing new solutions to technical challenges.

MODERNIZING IP INSTITUTIONS

WIPO's infrastructure modernization program provides tools and services that enable IP offices around the world to participate effectively and efficiently in the global IP system, and addresses the needs of offices to collaborate and exchange information in an increasingly global business environment.

IP offices face similar challenges. To support the local business community and national/regional economy, they must receive and process applications for IP rights including patents, utility models, trademarks and industrial designs. An integral part of the IP system is the dissemination of information about applications for and grants or registrations of IP rights. IP offices need to make this information available to their stakeholders as effectively as possible, preferably through free online services, in

order to improve the transparency and certainty of the IP rights applied for and in force in their territory, as well as to provide access to the technological information disclosed in patent documents. Applicants also expect offices to offer services such as online filing systems, online registers and online access to the status of their applications.

At the regional and international level, IP offices increasingly collaborate to build systems designed to respond to the global nature of business. That collaboration often involves the sharing of information to improve efficiency and quality in processing demands for IP rights.

The business systems necessary to support these functions are similar across IP offices, in spite of differences in national/regional legislation. However, it can often be expensive and risky for an IP office to develop such systems on its own because of the specific nature of the IP system. WIPO offers technical assistance to help IP offices develop their business systems based on international best practices.

Specifically, the Organization provides tools and services that enable IP offices to:

- Improve their efficiency in processing demands for IP rights
- Improve their provision of online business services to stakeholders
- Participate effectively in international and regional IP office networks

As of 2010, more than 50 IP offices had received technical assistance from WIPO, and many of them now use IP office automation and digitization systems developed and supported by WIPO.



Development Agenda - Recommendation 10 states that Member States should be assisted in developing and improving national IP institutional capacity through further development of infrastructure and other facilities, with a view to making national IP institutions more efficient and promoting a fair balance between IP protection and guarding the public interest. Such technical assistance is to be extended to subregional and regional IP organizations.

GLOBAL ISSUES, GLOBAL APPROACHES

WIPO has identified several areas where carefully targeted initiatives and expertise may be brought to bear on global policy issues related to IP. Acknowledging that IP influences so many aspects and sectors of society, these programs are intended to maximize the benefits of the IP system to support innovation and economic development.

WORLD REFERENCE SOURCE FOR IP INFORMATION AND ANALYSIS

Economics and Statistics

Policymakers need empirical evidence of how different IP strategies can affect innovation and a country's social and economic performance. WIPO's **Economics and Statistics Division** conducts research and provides objective impact studies to support Member State processes; anticipate developments affecting the world of IP; and equip WIPO management with tools for identifying future strategic developments. Its work helps to deliver several of the adopted recommendations of the Development Agenda in the area of economic studies and analysis.

Development Agenda - Recommendation 35 requests WIPO to undertake, upon request by Member States, new studies to assess the economic, social and cultural impact of the use of IP systems in these states. Recommendation 37 states that, upon request and as directed by Member States, WIPO may conduct studies on the protection of IP, to identify the possible links and impacts between IP and development.

During 2009, significant advances were made in the area of industrial property statistics collection and publication. WIPO uses state-of-the-art statistical data collection mechanisms, maintains a statistical database and publishes regular statistical updates on the Internet, as well as annual statistical reviews on the international IP system. In March 2010, WIPO launched



the first in a series of seminars on the "Economics of Intellectual Property", featuring leading economists from around the world. Preceding the first seminar was a roundtable, organized in cooperation with the World Bank, which aimed to define a policy-oriented research agenda on IP and economic development. In the two June 2010 seminars, academic economists discussed the quality factor in patent systems and the economics of patenting.

The second edition of the World Intellectual Property Indicators report, published in 2010, is a leading reference for information about the evolution of the IP system worldwide.

Online Information Resources

In pursuit of its goal to become the world reference source for IP information, WIPO recently added a new feature to its website:

WIPO GOLD, a free, online global IP reference resource, provides quick and easy access to a broad collection of searchable IP data and tools relating to technology, brands, designs, statistics, WIPO standards, IP classification systems, IP laws and treaties, and domain name decisions. The new portal will continue to be expanded and improved.

WIPO GOLD also offers the new **WIPO Lex**, replacing the Collection of Laws for Electronic Access (CLEA), principally a database of IP treaties and national laws that will include legal literature to aid in their analysis and interpretation. WIPO seeks to establish close collaborative ties with all Member States to provide streamlined access to their respective national IP legal frameworks including, eventually, WTO and UN Members.

A pragmatic use of intellectual property is about building bridges between the world's islands, be they economic, institutional or geographical.

IP AND GLOBAL CHALLENGES



The work of WIPO is increasingly concerned with a host of international policy debates and processes that address global challenges such as climate change, public health and food security. The role of IP in fostering the development of new technologies, such as biotechnology and nanotechnology, while also ensuring access to vital, often life-saving products, is at the core of the debate

The **Global Challenges Division** ensures a more active and systematic response by WIPO to these challenges. The division's mandate is to cooperate more closely with the rest of the UN system, facilitate greater interaction between WIPO and its Member States, and develop an inclusive and empirically sound approach to these global challenges. The most immediate impact of many of these global problems is borne by developing and least developed countries, and the programs developed will be closely linked to achieving a number of **Development Agenda** objectives.

The division's work includes leading public dialogue on these issues through convening and/or participating in a range of events, from large conferences to policy symposia; carrying out studies; undertaking public policy patent landscaping and producing factual information materials to assist policymakers in monitoring developments and assessing policy options. This also involves inclusive and informed debate on the strengths and weaknesses of the IP system in meeting public health and environmental challenges.



Some recent highlights are:

- Continued cooperation with the World Health Organization (WHO) on issues in the context of public health, innovation and IP, in particular relating to patents and access to medicines
- Policy symposia dealing with issues such as the interplay between regulation and IP protection in the life sciences, public policy patent landscaping in the fields of multilateral environmental agreements, a symposium on the way forward in patenting biotechnology and a WIPO symposium on the evolution of the regulatory framework of test data in the health research field, in February 2010
- Contributions to policy dialogue on technology transfer at United Nations Framework Convention on Climate Change (UNFCCC) meetings, highlighting policies that encourage investment in the creation and diffusion of environmentally-friendly technologies
- A WIPO report in response to Development Agenda **Recommendation 22**, on the Organization's contribution to achieving the United Nations MDGs, including in the areas of food security, access to medicines and environmental sustainability
- A July 2010 Symposium on Access to Medicines jointly organized by WIPO, the WHO and the WTO that addressed the core questions of drug procurement, pricing and the relevant IP issues. The symposium was part of the ongoing trilateral cooperation between the three organizations, which includes the implementation of the WHO Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property.

Development Agenda - Recommendation 40 requests that WIPO intensify its cooperation with UN agencies on IP-related issues, according to Member State orientation. This is in order to strengthen coordination for maximum efficiency in undertaking development programs, and refers to UNCTAD, UNEP, WHO, UNIDO, UNESCO and other relevant international organizations, especially the WTO.

ALTERNATIVE ENERGIES

A sugar-powered biofuel cell is attracting attention as a new generation of energy technology. Sony Corporation's Advanced Materials Laboratories in Japan has developed a biofuel cell that can generate power from sugar (carbohydrates) utilizing



enzymes as its catalyst, through the application of power generation principles found in living organisms. The bio-battery, whose casing is made of bioplastics, makes it possible to power electronic devices simply by filling them with a sugar solution — one of the planet's most abundant biological materials. In a demonstration, a drop of cola hitting a prototype cell caused a small propeller to rotate. Linking the system to an MP3 player allowed music to be played. Four prototype cells powered a radio-controlled car. According to Sony researchers,

sugar equivalent to the amount contained in a bowl of rice can produce electricity equivalent to that produced by 96 AA batteries. Sony is currently in the process of patenting the new technology.

IP AND COMPETITION

The newly-created Intellectual Property and Competition Policy Division contributes to discussions concerning the interface between IP and competition policy, and to generating awareness among Member States, particularly in developing and least developed countries, of the pro-competitive nature of IP and the measures necessary to ensure that it remains so. In addition to working directly on the special project on IP and Competition Policy being carried out under the Development Agenda, the division will also provide technical assistance to developing and least developed countries.



to: iStockphoto.com / Lise Gaane

SMALL AND MEDIUM-SIZED ENTERPRISES (SMES)

WIPO's activities for SMEs aim to improve awareness about the role of IP in enhancing the competitiveness of microenterprises and SMEs. In order to address the practical concerns and challenges that SMEs face, WIPO offers assistance to Member States in:

- Conducting national studies on IP as a step in formulating IP strategies
- Organizing train-the-trainer programs for SME intermediaries or support institutions
- Providing e-newsletters, the IP Panorama multimedia self-learning tool, and the "IP for Business" series of publications

WIPO encourages its Member States and others to use its resources for SMEs in developing distance learning and training programs. Information resources include:

- A comprehensive and user-friendly website
- Eight publications that have been translated and/or customized by some 40 countries
- IP Panorama, an interactive multimedia self-learning toolkit on IP asset management developed jointly with the Korean Intellectual Property Office (KIPO) that is available in four languages and used by more than 20 universities and several companies
- A monthly electronic newsletter on IP for SMEs, sent in six languages to some 34,000 subscribers

"IP Valuation" and "Trademark Licensing" are the latest modules of IP Panorama, an interactive multimedia tool on IP for business.





WIPO adopts a managerial perspective in explaining how IP rights can play an important part in business strategies. For example, patents are highlighted as an essential part of R&D and company product development strategies. Trademarks are described as tools to enhance company branding and marketing strategies, including for product differentiation. Copyright and related rights are seen as key in developing a knowledge-based economy.

Increasingly, the Organization uses a project-oriented approach to promote SME development at local, national, regional and international levels – in partnership with other supporting organizations and with a focus on integrating IP within the broader business issues confronting entrepreneurs, microenterprises and SMEs.

INTERNATIONAL COOPERATION ON BUILDING RESPECT FOR IP

Another of WIPO's strategic goals aims to enhance international cooperation on **building respect for IP** – a broad, crosscutting goal that calls for a balanced approach, focusing on international cooperation where WIPO can make a difference, with the overall objective of creating an enabling environment for promoting respect for IP in a sustainable manner.

WIPO plays a leading role in encouraging and facilitating the international dialogue on enforcement-related issues, working with Member States in the Advisory Committee on Enforcement (ACE) and with public-private partnerships in fora such as the Global Congress on Combating Counterfeiting and Piracy. The Organization also provides, upon request, extensive assistance to Member States through training programs for law enforcement officials and the judiciary, legislative advice, help in formulating concerted IP enforcement strategies, the publication of case law compilations and public awareness campaigns to help combat counterfeiting and piracy.

ENFORCEMENT NEWS FROM MEMBER STATES

- Launched in April 2009, the European Observatory on Counterfeiting and Piracy is a new EU-wide platform aimed at improving access to information and statistical data, and facilitating the exchange of enforcement techniques and practices.
- The National Agency for Food and Drug Administration and Control of Nigeria inaugurated, in March 2010, a federal task force to combat counterfeit drugs, whose duties will include unscheduled visits to all ports of entry and border posts.
- In cooperation with the Ministries of Education and Culture of Portugal, a Portuguese collecting society, AGECOP, launched a large-scale copyright literacy project intended to raise awareness on copyright among students and promote respect for copyright in the digital environment.



- At its fifth session in November 2009, the ACE discussed contributions of, and costs to, right holders in enforcement, taking into account Development Agenda **Recommendation 45**. The Committee agreed on a work program for its 2010 session, focusing on economic research related to counterfeiting and piracy.
- The fifth Global Congress on Combating Counterfeiting and Piracy, held in Cancun (Mexico) in December 2009, called for a coordinated response and emphasized the danger of counterfeiting and piracy for economic recovery. Hosted by Mexico and INTERPOL, the Congress was supported by WIPO, the World Customs Organization (WCO) and the International Chamber of Commerce (ICC). The sixth Global Congress will be hosted by WIPO and France in February 2011.
- In cooperation with Member States and partner organizations, WIPO ran 15 IP enforcement training courses worldwide in 2009 for members of the judiciary and law enforcement agencies.
- The February 2010 issue of the *WIPO Magazine* was a special edition focusing on the costs of IP dispute resolution, including articles on the challenges and proposed solutions in various jurisdictions.

Development Agenda - Under Recommendation 45, WIPO is to approach IP in the context of broader societal interests and especially development-oriented concerns, keeping in mind that "the protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology, to the mutual advantage of producers and users of technological knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations", in accordance with Article 7 of the TRIPS Agreement.

COMMUNICATION

The goal of communicating a better understanding of IP underpins a wide range of WIPO's programs and activities. The more widely IP is understood by different sectors of society, the more effective a contribution it can make to economic and cultural development. WIPO aims for a communications strategy that is both proactive and responsive to the needs of its Member States and other constituencies. Its communication sector makes a concrete contribution to the Development Agenda objective of promoting a development-oriented IP culture and generating greater public awareness of IP.

OUTREACH

Holding **public outreach activities** that help to increase awareness of how IP works has become a priority for many





Member States. Cooperative projects with Member States and stakeholder organizations are key to extending this reach and ensuring that messages and materials are adapted to suit audiences in the different regions of the world.

WIPO produces a wide variety of information materials to cater to a broad public, while also tailoring outreach activities to the needs of specific target audiences, such as small businesses, artists, research institutions and young people. To reach this diverse public, WIPO uses a variety of means – from the Internet, film and television, to publicity events, seminars and written publications.

RECENT DEVELOPMENTS

- The **WIPO Guide to Intellectual Property Outreach** now also available in Chinese and the web-based outreach databases provide governments and organizations with step-by-step guidance on planning IP outreach campaigns. The IP Outreach in Practice and Outreach Research databases, which give examples of interesting IP outreach activities from around the world and provide access to research on awareness and attitudes of different audiences towards IP, now exceed 1,000 total records.
- Circulation of the **WIPO Magazine** grew by another 10 percent, with subscribers in over 120 countries and more than 2.3 million visitors to the online version in 2009 making it one of the most popular areas of the WIPO website. A new social bookmarking feature allows users to share articles across the Internet by e-mail or through social media sites.
- WIPO's latest outreach film products, available on the **WIPO Channel on YouTube**, include interviews with an artist painter from Ukraine, a singer songwriter from Nigeria and a filmmaker from Mali, who talk about their work in relation to IP.
- The WIPO **Depository Library** Program continues to expand to enhance the dissemination among Member States of information on IP and WIPO's work, activities and services.

IMPROVING WER ACCESSIBILITY

In February 2010, WIPO hosted a workshop to promote awareness about accessibility for people with disabilities and to encourage webmasters within the UN system and other organizations to implement principles of accessibility in their daily work. Co-organized with the International Telecommunication Union (ITU), the workshop underlined the need to ensure the estimated 650 million people living with disabilities worldwide have access to the opportunities offered by information and communication technologies.





The WIPO Awards program is designed to recognize the achievements of inventors, creators and innovative

companies around the world and aims to encourage innovation and creativity at every level of society. In 2009, 107 medals were granted to inventors, creators and companies in 29 developing countries and countries in transition and in 14 developed countries. Among the 2009 award-winners were: a Spanish researcher



for her contact lens filter that protects the retina and prevents blindness, and a group of women inventors

from Thailand for their invention of a kitchen for people with visual impairments. Two 2010 recipients of WIPO Awards: Young inventor

Lau Chun Hei (right), from Hong Kong (SAR) China, for his invention of a safety cutter that prevents users from accidentally cutting their fingers; and Dr. Elaheh Elahi, from Iran, for her genetic study on glaucoma and Parkinson's disease in Iran.

MEDIA RELATIONS

A proactive approach to media outreach – through press conferences, communiqués, briefings and interviews – has helped expand the network of journalists that appreciate and understand the value of reporting on IP.

- Statistics show an increase in the number of press articles around the world reporting on WIPO activities.
- A May 2009 WIPO seminar on current issues in IP was held at the University of Cameroon for journalists from OAPI Member States.

CUSTOMER SERVICE AND BRAND DEVELOPMENT

WIPO continues to improve its customer service and stakeholder orientation in order to meet the growing demand for information on how to reap the benefits of the IP system, as well as to provide prompt, efficient assistance to its customers. It aims for trusted and effective two-way communication in providing IP services and information. The Organization's **Customer Service** framework includes a new Contact page on its website, streamlined and harmonized customer support processes, new customer assistance teams in key sectors and a system for tracking enquiries sent to WIPO. In the future, it will also seek direct feedback from WIPO stakeholders through surveys on customer satisfaction. A new centralized Customer Service Center is currently under development and expected to be operational by the end of 2010.

The WIPO **Brand Development** initiative develops and promotes the Organization's brand and its role as the leading provider of IP information and services. An enhanced corporate identity and quality assurance are key in its promotion of the IP system to existing and potential users.



LOOKING FORWARD, LOOKING BACK

■ World Intellectual
Property Day. Each
year on April 26,
Member States and
organizations stage
events to raise
public awareness
of how IP helps
foster creativity
and innovation.
World IP Day 2010

- on "Innovation:



ITAG Business Solutions Ltd.



India 2010 and Canada 2010

Linking the World" — marked the 10th anniversary of IP Day as well as the 40th year of the Organization's existence, the WIPO Convention having entered into force on April 26, 1970. In celebration, WIPO launched an exhibition at its headquarters showcasing some of the many IP Day posters received from Member States and observers over the years.

New WIPO logo and corporate identity. World IP Day was the ideal date to launch WIPO's new logo. Based on a graphic representation of the WIPO headquarters building and representing the seven elements of IP, the new logo is anchored in WIPO's history and achievements, while also looking to the future and reflecting its corporate values of trust, reliability and efficiency.

The Eole Water clean technology water-making system, protected under the PCT.



■ WIPO Open Day. On June 5, 2010, WIPO opened its doors to the public to showcase its activities and demonstrate how its work helps contribute to human and social progress. Exhibits included green-tech innovations, such as a photovoltaic roof system by DuPont, and a presentation of Swiss appellations of origin complete with tasting of some Swiss products. On display were inventor Marc Parent's clean technology water-making system, Eole Water, as well as the Segway transport system, a zero-emission eco-invention by Dean Kamen. The Open Day program also featured a roundtable discussion on innovation and green and sustainable technologies moderated by WIPO Director General Francis Gurry, with panelists from

The June 5 roundtable discussion on innovation and green and sustainable technologies moderated by WIPO Director General Francis Gurry (center), pictured with (from left) Professor Jacques de Werra (University of Geneva), Philippe Boydell (DuPont Photovoltaic Solutions), Pedro Roffe (International Centre for Trade and Sustainable Development (ICTSD)) and María Julia Oliva (Union for Ethical BioTrade).



academia, industry and civil society. Over 3,500 people visited WIPO Open Day, which also featured musical performances from Ecuador and South Africa.

■ The WIPO Channel. WIPO's new YouTube presence, the WIPO Channel, features documentaries and interviews with artists, creators and inventors that show the importance of creativity and innovation. Users are encouraged to rate, comment on and subscribe to the videos, as well as to share their own content by becoming "IP Reporters".



The WIPO Channel on YouTube

MANAGEMENT AND FINANCE

WIPO's Strategic Realignment Program incorporates several major management initiatives, currently underway, which aim to streamline the working methods and procedures of the Organization in order to make them more transparent, efficient, cost-effective, results-focused and service-oriented.

The rationalization of WIPO's business processes for the management of human and financial resources and procurement also paves the way for the implementation of a fully integrated Enterprise Resource Planning (ERP) system.

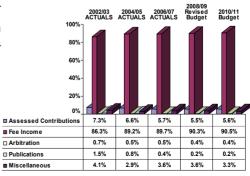
WIPO conducted a review of its human resources contractual arrangements and the regulatory framework contained in the Staff Regulations and Rules, with a view to updating and rationalizing the provisions. A Voluntary Separation Plan offered to staff was successful in reducing overall staff numbers, while also making it possible to recruit employees with the skill sets needed to meet the changing demands on the Organization.

RESULTS-BASED MANAGEMENT

WIPO's results-based management system was strengthened on several levels last year. A Performance Management and Staff Development System was launched to ensure that individual staff objectives feed into the Organization-wide expected results contained in the Program and Budget.

Work also began in 2009 on developing a Medium Term Strategic Plan (MTSP) for WIPO, to cover the six-year period from 2010 to 2015. Following consultations with Member States, a draft MTSP will be submitted to the General Assembly in September 2010. The MTSP addresses:

- Changes in the external environment in which WIPO operates
- The challenges and opportunities that the changing landscape presents for IP and for WIPO in the medium term
- The outcomes the Organization will seek to deliver over the next six years
- The strategies that will enable it to do so



INCOME AND EXPENDITURE IN 2008-09

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INCOME	(thousands of Swiss francs)	
Contributions from Member States	34,827	
Fees from the global protection services:		
PCT	443,589	
Madrid	94,846	
Hague	5,359	
Lisbon	5	
Subtotal	543,799	
Publications	1,124	
Arbitration	3,319	
Interest	17,845	
Other revenues	6,517	
Subtotal	28,805	
Total	607,431	
EXPENDITURE		
Staff	397,399	
Other	185,408	
Total	582,807	

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Member States' contributions are determined on the basis of a system of contribution classes. There are a total of 14 classes, each with a set contribution for the biennium concerned. The amount paid by a given Member State depends on the contribution class to which it belongs. States freely choose the class (and therefore the amount of contribution) for themselves, with three classes reserved for developing countries. The rights and obligations of all states are the same, regardless of the contribution class to which they belong.

The yearly contributions for each class in 2009 ranged from the lowest amount of about 1,400 Swiss francs to the highest amount of some 1.1 million Swiss francs.

TREATIES ADMINISTERED BY WIPO

Convention Establishing the World Intellectual Property Organization (1967)

INDUSTRIAL PROPERTY

Paris Convention for the Protection of Industrial Property (1883)

Madrid Agreement Concerning the International Registration of Marks (1891)

Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (1989)

Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods (1891)

Hague Agreement Concerning the International Deposit of Industrial Designs (1925)

Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957)

Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (1958) Locarno Agreement Establishing an International

Classification for Industrial Designs (1968)

Patent Cooperation Treaty (PCT) (1970)

Strasbourg Agreement Concerning the International Patent Classification (1971)

Vienna Agreement Establishing an International

Classification of the Figurative Elements of Marks (1973)

Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (1977)

Nairobi Treaty on the Protection of the Olympic Symbol (1981)

Trademark Law Treaty (TLT) (1994)

Patent Law Treaty (PLT) (2000)

Singapore Treaty on the Law of Trademarks (2006)

COPYRIGHT AND RELATED RIGHTS

Berne Convention for the Protection of Literary and Artistic Works (1886)

Rome Convention for the Protection of Performers, Producers

of Phonograms and Broadcasting Organizations (1961)

Geneva Convention for the Protection of Producers of

Phonograms Against Unauthorized Duplication of Their

Phonograms (1971)

Brussels Convention Relating to the Distribution of

Programme-Carrying Signals Transmitted by Satellite (1974)

WIPO Copyright Treaty (WCT) (1996)

WIPO Performances and Phonograms Treaty (WPPT) (1996)

Treaty on the International Registration of Audiovisual

Works (Film Register Treaty) (1989)

WIPO MEMBER STATES ON SEPTEMBER 1, 2010.

> WIPO Member States on September 1, 2010. Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eguatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambigue, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua,

Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia. Zimbabwe

MORE WIPO PUBLICATIONS

WIPO publishes many general information and specialist publications, which are available **free of charge** from the e-bookshop at www.wipo.int/freepublications/en/ or on written request to the WIPO Outreach Services Section at the address on the back cover of this publication. The following are a few examples:

General

The WIPO Magazine

Publication No. 121

What is Intellectual Property?

Publication No. 450

Understanding Industrial Property

Publication No. 895

Understanding Copyright and Related

Rights

Publication No. 909

Summaries of Conventions, Treaties and Agreements Administered by WIPO

Publication No. 442

WIPO Development Agenda

Publication No. L1015

Guide to WIPO Services

Publication No. 1020

World Intellectual Property Indicators

Publication No. 941

For young people

Your Own World of IP

Publication No. 907

Learn from the Past, Create the

Future: Inventions and Patents

Publication No. 925

Learn from the Past, Create the

Future: The Arts and Copyright

Publication No. 935

The WIPO Comic Books

Trademarks

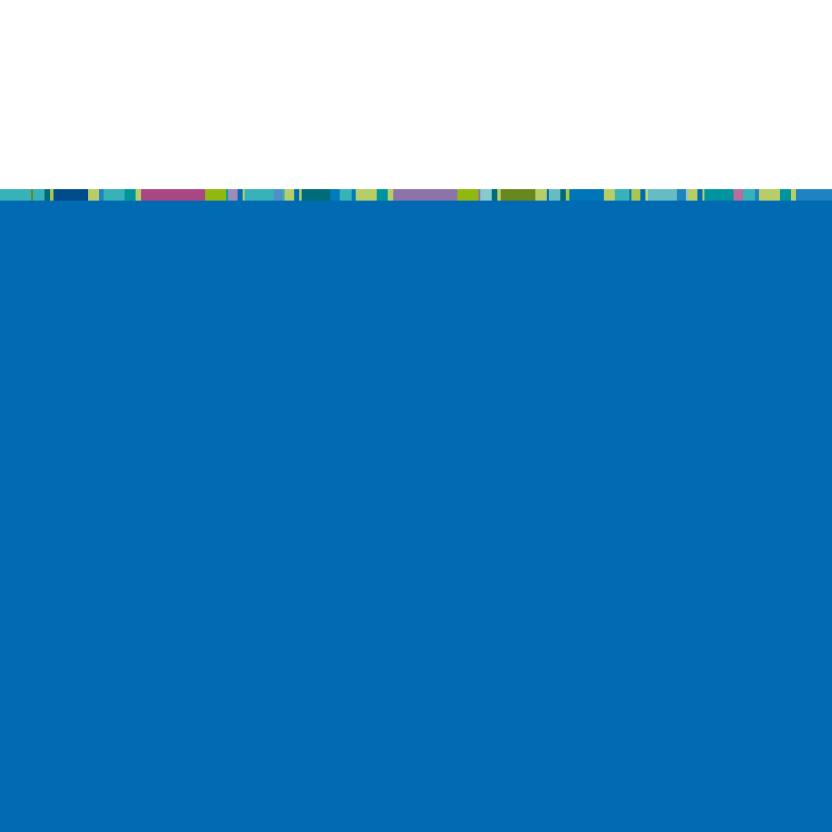
Publication No. 483

Copyright

Publication No. 484

Patents

Publication No. 485





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