

Innovation for All

Commission on Intellectual Property

WIPO Conversation on Intellectual Property (IP) and Frontier Technologies

ICC prepared remarks

Fourth session – Virtual meeting – 22 to 23 September 2021

The International Chamber of Commerce (ICC) welcomes and supports WIPO in its continued effort to facilitate a multistakeholder global discussion on intellectual property and frontier technologies, including artificial intelligence, and the data-based economy. Technological progress continues to challenge the existing regulatory framework of intellectual property rights, the digital economy, and the business models that emerged with it.

Earlier this year, ICC published its 2021 Innovation Principles, a set of principles necessary to obtain the policy frameworks that create and nurture robust innovation ecosystems. One of the areas of emphasis of these principles was the data-driven economy and its relationship to IP.

In these principles we stated that the use of data supports the generation of meaningful insights and informed decision-making, and drives innovation. Innovators can generate pertinent data or access available data to assist in improving efficiency and deliver the most impactful products and services. Thus, it is critical that IP regimes can support this while protecting the commercial activity enabled by intellectual property rights.

ICC recognizes the disruptive potential of discussions around data and IP. In that context, we highlight three elements that should be considered in these discussions: First, that effective, enforceable, and predictable intellectual property rights enable innovation and entrepreneurial risk-taking. Second, the importance of trustworthy business environments that provide a framework for collaborative innovation and the exchange of technology, knowledge, and data. That trust is critical for ensuring that the fruits of research are disseminated by being applied, commercialised, adapted to local circumstances, scaled and advanced. Third, all discussions on data and IP must be multistakeholder, reflecting the equally multistakeholder nature of data issues.

Given the complexity of the issues at hand and their potential ramifications for businesses and the current IP system, it is important for WIPO, and all stakeholders present in this dialogue, to not draw premature conclusions. ICC stresses that the proposals for reform of the existing IP system should benefit from a sufficiently sound factual basis and understanding of current law and practice.

About The International Chamber of Commerce (ICC)

The International Chamber of Commerce (ICC) is the institutional representative of more than 45 million companies in over 100 countries. ICC's core mission is to make business work for everyone, every day, everywhere. Through a unique mix of advocacy, solutions and standard setting, we promote international trade, responsible business conduct and a global approach to regulation, in addition to providing market-leading dispute resolution services. Our members include many of the world's leading companies, SMEs, business associations and local chambers of commerce.

www.iccwbo.org

Follow us on Twitter: [@iccwbo](https://twitter.com/iccwbo)