

Webinar: WIPO Standards Blockchain #1

hosted by the International Bureau of WIPO

Virtual, June 25, 2020
13:00 – 14:30 (CEST)

RESPONSES TO QUESTIONS

prepared by the International Bureau of WIPO

Following are the responses to the questions raised at the Webinar.

Q1: On one hand, blockchain definitely is a secure way to protect IP and the data, but on the other hand, if the requirement to erase the data from the block arises from the owner of the data in order to protect the privacy of the data, there would need to be a secure system in place to expunge or delete/redact the data. I would like to suggest this step as a way forward in order to make it compatible vis-a-vis privacy and data protection.

A1: This is done by using blockchain to link to external document store where the real information is placed. The blockchain acts as a record of the existence of the data in such case, with the actual data stored in another location where it can be modified or deleted. That is why we emphasize the distinction between on-chain and off-chain information.

Q2: Is there a reference for the China internet court case on blockchain as evidence?

A2: The case is discussed at <https://conflictoflaws.net/2019/chinas-innovative-internet-courts-and-their-use-of-blockchain-backed-evidence/> (see 7th paragraph).

Q3: You mention copyright management of music as a use case but if you read "Music 2025", our conclusion is that blockchain can only work with stable assets whereas Music IP assets are more dynamic than most other forms of IP content. Music copyright especially on the musical work may be subject to change over time as a result of changes in ownership, plagiarism, sample uses, and counterclaims.

A3: As far as we understand, the Music 2025 paper is meant to explore the different current and possible use cases where blockchain can improve the process. We note their points and will discuss with interested parties, including music copyright management organizations, to explore challenges and potential solutions and reflect the result of our exploration in the whitepaper. We plan to provide a forum for further discussions after publishing the whitepaper.

Q4: Why don't you have any questions in your survey that establish how much experience the respondent has in the actual business operations of IP centric organizations? How will you filter out what is purely academic theory from the practical realities? If you do not have such a filter, the whole exercise risks becoming an echo chamber for Blockchain fanatics.

A4: The survey has questions about implementation and performance of solutions in order to differentiate potential reports and future strategies from the working implementations.

Q5: How will we participate in the project and the survey?

A5: The survey has been circulated to webinar participants by their registration email. You can find the survey at <https://www.surveygizmo.com/s3/5651590/Blockchain-IP-Ecosystem-Survey>.

Q6: Can digital blockchain prove with 100% guarantee that an IP asset belongs to a party in an IP transaction? If so, what is the advantage of blockchain compared to the traditional ID proving process? For example legal name and ID number versus Blockchain proof.

A6: We consider that they complement each other. Blockchain decentralized identity is better in **byzantine scenarios** with "rogue" or non-trusted authorities in different countries. In that case, PKI systems are weak since Certificate Authorities (CAs), the origin of trust, have been shown to be vulnerable to false credentials and other. A fully decentralized system in which identity is "the sum of claims", and in which peers can trust/reject claims based on their own decisions can be more secure.

For contexts where CAs can be trusted, Blockchain can be an overly complex solution compared to standard PKI infrastructure systems with widespread support in existing software platforms (operating systems, web browsers, and mobile devices).

Q7: Can blockchain technology be protected under IP regimes, for example in patent and PCT regime?

A7: Despite the fact that most of the blockchain protocols and applications are open-source, a specific development can be protected by copyright like any other software. Also, some jurisdictions may allow patenting of blockchain technologies or applications. In such jurisdictions, many patent applications have already been filed on blockchain and related technologies. For instance, according to [this article by the American Bar Association](#) and [this one by IAM Media](#), over 4600 blockchain-related patent applications were filed worldwide in 2018 alone.

Q8: Are you going to "blockchainize" your WIPO PROOF solution?

A8: WIPO is currently looking into the potential evolution of WIPO PROOF to add a blockchain component as an addition to the PKI service, but not replacing it. For more info, please see <https://wipoproof.wipo.int/wdts/faqs.xhtml>.

Q9: Do you know if any IP office already has a concrete plan to use blockchain for the (application /registration) proceedings?

A9: During the research phase, we noted some IP offices that are doing blockchain projects or planning to. After the Blockchain survey, more information will be available in the whitepaper.

Q10: With regard to a blockchain platform to be used for the management of IPRs (after registration), do you consider only the case of one or more autonomous platforms or the case of a common global platform managed for example by WIPO?

A10: It is likely that different specialized platforms or Blockchain-enabled applications will co-exist for different purposes, and inter-blockchain methods would ideally be used to interoperate among them. As a reference, in the financial industry different types of blockchain co-exist for different purposes (liquidity, settlement, micro-payments, etc). All of them are governed by different actors, and protocols are in development to connect them. We are exploring what the different possibilities are, and identifying challenges and potential solutions for interoperability and governance.

Q12: Do you have information about how blockchain is used in the audiovisual/cinema sector? For instance, do you know if producers and/or distributors have started using that technology and how (e.g. smart contracts)?

A12: During the research so far, we identified some use cases of blockchain copyright platforms for the audiovisual sector, but as far as we understood they seem to be focused on small creators and not on big distributors. One of the examples is the Theta Token (<https://www.thetatoken.org/>).

Q13: Could we have an example in the music industry about the use of blockchain?

A13: One example we found is UJO Music (<https://ujomusic.com/>).

Q14: How can interoperability and governance amongst blockchain platforms be proposed, bottom-up originating from stakeholders or top-down originating from IP offices? Is there a risk of separate parallel blockchain platforms becoming not interoperable?

A14: We consider three areas of interoperability to ensure blockchain-enabled IP ecosystem: legal interoperability, governance interoperability and technical interoperability. We do not know yet which approaches would be appropriate to develop recommendations for interoperability, and are seeking any suggestions from IP offices and any interested parties.

Q15: Have you ever taken into consideration a use case regarding enforcement by customs authorities, to check authenticity of goods presented for customs clearance?

A15: Yes we plan to include it as a use case in the whitepaper as some IP offices already reported this as a use case. For example, at [the WIPO Standards Workshop on Blockchain](#) in 2019, EUIPO reported their project on it (see the presentation at https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=435358). As another example, see this analysis from Australia of using blockchain technology to aid customs authorities with wine shipments: <https://www.industry.gov.au/data-and-publications/national-blockchain-roadmap/sectoral-opportunities>. IP Australia is working on its [Smart Trade Mark platform](#) to enable such uses.

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