

General Statement

By

Director General Jesper Kongstad

Danish Patent and Trademark Office

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On behalf of Denmark and the Danish Patent and Trademark Office, I would like to extend my regards to the Director General and congratulate him for having brought new initiatives to the organisation during his years in office and in this way ensuring the promotion of innovation and creativity. Also, I would like to thank the WIPO Secretariat for their work with regard to preparations prior to meetings and for their always service-minded and positive attitude.

Given the economic and financial difficulties that companies and states around the world are facing it must be acknowledged that Intellectual Property (IP) is an important element in the economic, social and cultural development of all countries and efforts should be made to maintain focus on IP despite economic difficult times. This can be achieved by reaching the strategic goals established for WIPO and the efforts made in order to stimulate innovation and creativity and to promote effective use and protection of IP worldwide.

The Danish Patent and Trademark Office have experienced the effect of the economic and financial difficult times and pays constantly attention on performance. Cost benefit analyses are carried out on a regular basis for all tasks. We regret that the results of these analyses are rather poor when it comes to the results gained from most WIPO working groups and standing committees. We cannot afford to keep the scheme as it currently stands. We believe it is time to evaluate and reconsider the whole concept of working methods at WIPO. Is it effective and timely to have standing committees? Should we move toward more ad hoc working committees at technical levels? We believe an important element would be to separate political issues from the expert technical level. By addressing the relevant issues at the relevant level we foresee more efficient meetings and results for the benefit of all stakeholders.

Turning to the working groups on substance, The Danish Patent and Trademark Office appreciate the substantial and valuable work of the Standing Committee on Trademarks which we hope soon will include the achievement of a Design Law Treaty as such an accomplishment would send a positive message to the users of all of the design registration systems. The Study carried out in relation to the negotiations of the Treaty shows that such a Treaty will be of benefit to both developed and developing countries at all levels, especially SMEs.

With regard to the recent treaty to facilitate access to published work by visually impaired and persons with print disabilities which was concluded in Marrakech in June, we wish to congratulate WIPO with the result. We believe that the treaty strikes a good balance between the needs of the visually impaired and persons with print disabilities and the importance of an effective protection of right holders.

We welcome the effort of the Secretariat in implementing the Development Agenda, assisting the CDIP and in formulating concrete projects to address the Development Agenda recommendations. WIPO has an important role to play in bringing the issue of IP to the attention of stakeholders in development work. This includes governments, international institutions and other donors. It has to be acknowledged that the countries are on different developmental levels in respect of IP and has diverging needs. To meet the different needs a way forward could be to develop a catalogue for norm setting in the different IPR areas from where countries can pick and choose depending on their demands. In Denmark, we have been involved in international development projects for several years now, mainly in EU neighbouring countries – but also in the Middle East and Asia. We find these projects useful as they contribute to the improvement of IP infrastructure all over the world. And we see this work as an essential point in the effort to enhance growth and innovation. It is our hope that our experiences can benefit other Member States and that we can expand our cooperation with the WIPO Secretariat on this issue.

In Denmark, the public authorities have greatly intensified our fight against counterfeiting and piracy during the last 5 years. For example, we have established a permanent cross ministerial network consisting of 11 public authorities, which cooperate closely in our daily work to combat counterfeiting and piracy. The network has implemented a high number of initiatives, including increased criminal penalties for up to 6 years of imprisonment for all types of IPR crime. The latest important enhancement of the Danish efforts to combat IPR crime was announced in July this year and consists of a strengthened enforcement effort from the police and public prosecutors. In addition and based on a Government report from February, our office plans to establish a new unit to further improve the handling of cases on counterfeiting and piracy. It is foreseen that our new unit will cooperate closely with the police and prosecutors. Piracy and counterfeiting have serious implications, including on health and safety for consumers and creation of jobs and growth. It is therefore important to keep focusing on enhancing the fight against piracy and counterfeiting.

The Nordic Patent Institute (NPI) – a PCT search- and examination authority based on cooperation between Denmark, Norway and Iceland – continued to deliver high quality search reports to its applicants in 2012. For the fifth year in a row, Nordic Patent Institute was at the forefront of PCT authorities with regards to timeliness of delivery of search reports. In 2012 the member states of Nordic Patent Institute made the necessary legal amendments to open up for the possibility for NPI to act as a

PCT authority for Swedish applicants. Nordic Patent Institute started accepting PCT applications from Swedish applicants on 1 January 2013. Nordic Patent Institute continues to be an active member of various WIPO forums dealing with PCT and patents in general, in particular the Meeting of International Authorities (MIA) and the PCT Working Group. These forums are extremely important venues for the International Search and Examination Authorities and PCT member states to discuss practical and political issues as well as the future of the PCT system. It is our hope that the Nordic Patent Institute will continue to play an essential role in the future development of the PCT and influence further improvement of the global patent system in general.

We applaud the newly established Section for the Coordination of Developed Countries and we look forward to working together on the cooperation initiatives between WIPO and the Danish Patent and Trademark Office which among others include the cooperation agreement on IP data exchange and the transfer from PATENTSCOPE of PCT applications with licensing information to IP-marketplace (www.ip-marketplace.org) which is a display window for patents for sale run by the Danish Patent and Trademark Office.

I would like to conclude by saying that we highly welcome the opportunity to meet with our colleagues both on director and expert level. We find these meetings beneficial for the creation of new ideas and we believe that a well functioning cooperation between national and international offices benefits the IP environment on a global scale.

Thank you