



Statement by H.E. Archbishop Silvano M. Tomasi, Permanent Representative of the Holy See to the United Nations and Other International Organizations in Geneva

55th Series of Meetings of the WIPO Assemblies

Geneva, 5 October 2015

Mr. President,

The Delegation of the Holy See would like to congratulate you on your election to chair the General Assembly. We welcome the two new vice-chairs as well and thank the outgoing chair and vice-chair for all their hard work over the past year. My Delegation is confident that under your leadership we will be able to reach a positive outcome during this session, as we did in the previous ones.

Allow me also to express our appreciation to the Director General and the Secretariat for the preparation of these Assemblies and for the substantial outcomes achieved by WIPO in recent years, in particular in relation to work concerning global IP services. The steady growth of applications and the expansion of membership cannot be achieved without proper responses to the evolving demands from the real world.

The context in which intellectual property (IP) operates in the contemporary world is vastly different from the one in which IP was born. The new context has changed the position of IP both in the economy and in society. Over the past few decades, the centre of wealth creation has been shifting from tangible assets or physical capital to intangible assets or intellectual capital or, as the OECD calls it, knowledge based capital.

We live in a global knowledge economy and the key to future progress is to excel at turning what we discover and learn into marketable new products and technologies. As clearly shown by the Global Intellectual Property Reports, innovation adaptation and the use of these new technologies are the primary drivers of growth within international economies.

Through both private and public investments, we continue to see incredible scientific advancement in the understanding and use of biological resources, the applications of which hold great social value and potential to improve the lives of people, particularly in the medical, pharmaceutical, and agricultural fields. To continue incentivizing such innovations and to spread the benefits of these innovations widely, just legal frameworks for intellectual property protection play an essential role. Yet, while we recognise the value of intellectual property protection, the scope of those rights must always be measured in relation to greater principles of justice in service of the common good. However, nowadays, the fruits of scientific progress, rather than being placed at the service of the entire human community, are distributed in such a way that inequalities are actually increased. The law of profit alone cannot be applied to that which is essential for the fight against hunger, disease, and poverty.¹

WIPO is also making a significant contribution to IP information sharing and dissemination through its work related to global IP infrastructure. The contribution to society from the invention to be patented does not consist only of the invention as such, but also of the provision of technical information related to that invention. The global patent system needs continued improvement towards increased transparency and efficiency. International enterprises can be caught unaware of existing patent rights in various markets, while inventors and researchers need access to a fully articulated and comprehensive database of patent claims. A comprehensive database would lower search costs for inventors and examination offices.

While WIPO needs to follow the principles and objectives set in the Organization's Convention, this has to be done in a manner that continues responding to the ever-changing realities of the international community. This means that the Organization has to continue to work at the service of the real world, which is formed by innovators, creators, and especially the users of the IP system and IP information. The Secretariat and the Member States should revive the normative work in a functional and responsible manner that could be accepted across the system and through which we can fulfill our responsibility as a member of the global community.

¹ John Paul II, Address to 'Jubilee 2000 Debt Campaign', 23 September 1999.

The present-day Intellectual Property Rights system is built on long-standing and traditional concepts of protection and designed for an era before the technological revolution. Classic copyrights cannot be sustained in this modern digital world and the “one-size-fits-all” approach of patent rules is no longer viable for the cross-industry complexities of the new technology development. The Organization is called to face major challenges and offer a place for bridging the gap between the prevalent trade-oriented approach and the broader implications of intellectual property regulation. In this sense, the renewal of the mandate for the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) could represent a strong signal.

Mr. President,

In conclusion, let us assure you that you can count on the constructive spirit and support of the Holy See during these Assemblies.

Thank you Mr. President.