

Committee on Development and Intellectual Property (CDIP)

Twentieth Session
Geneva, November 27 to December 1, 2017

REPORT

adopted by the Committee

1. The 20th session of the Committee on Development and Intellectual Property (CDIP) was held from November 27 to December 1, 2017.
2. The following States were represented: Algeria, Angola, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Benin, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Georgia, Germany, Ghana, Greece, Guatemala, Haiti, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kenya, Lesotho, Lithuania, Malaysia, Mali, Mexico, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Switzerland, Syrian Arab Republic, the Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom, United States of America, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe (91). Palestine was represented as an observer.
3. The following intergovernmental organizations (IGOs) took part as observers: African Regional Intellectual Property Organization (ARIPO), African Union (AU), Eurasian Patent Organization (EAPO), European Commission (EC), European Patent Organization (EPO), European Union (EU), Food and Agriculture Organization of the United Nations (FAO), League of Arab States (LAS), *Organisation internationale de la Francophonie (OIF)*, Organization of Islamic Cooperation (OIC), Patent Office of the Cooperation Council for the Arab States of the Gulf (GCC Patent Office), South Centre (SC), West African Economic and Monetary Union (WAEMU), World Health Organization (WHO) and World Trade Organization (WTO) (15).
4. Representatives of the following non-governmental organizations (NGOs) took part as observers: *Association internationale pour la protection de la propriété intellectuelle (AIPPI)*, *Centre international d'investissement (CII)*, Friends World Committee for Consultation (FWCC), CropLife International (CROPLIFE), European Law Students' Association (ELSA International), Health and Environment Program (HEP), Independent Film and Television Alliance (IFTA.), International Video Federation (IVF), Latin American Association of Pharmaceutical Industries

(ALIFAR), *Médecins sans frontières* (MSF), Medicines for Africa, Third World Network Berhad (TWN) (12).

5. Ambassador Walid Doudech, Permanent Representative of Tunisia, chaired the session. Ms. Zunaira Latif, Second Secretary, Permanent Mission of Pakistan, Geneva, as Acting Vice-Chair.

AGENDA ITEM 1: OPENING OF THE SESSION

6. The Chair welcomed delegations to the session, expressing hope that progress would be achieved during the meeting. The Committee played a central role in mainstreaming development considerations across all sectors of the Organization. The Committee achieved positive results in the last session. Among others, Member States agreed to establish a permanent agenda item on IP and development. The Committee would continue its work at this session. There were many items on the agenda, including the Implementation of the Recommendations of the Independent Review; the revised Proposal of the African Group Concerning the Biennial Organization of an International Conference on IP and Development; the way to address the Sustainable Development Goals (SDGs) in future CDIP sessions, including the request for establishing a permanent agenda item; and Progress Reports on the implementation of ongoing Development Agenda (DA) projects. He hoped consensus would be achieved to resolve issues on the agenda.

7. The Director General welcomed delegations to the session. He recalled that it was ten years since the DA was adopted at WIPO. This was an appropriate occasion to look at some of the achievements of the DA. They were quite exceptional, thanks to the commitment and hard work of the Member States and the Secretariat. One of the biggest achievements was the mainstreaming of development considerations across the Organization. There was not a program in the Organization which did not consider this aspect in the implementation of its activities. This was a remarkable achievement on the part of the Organization as a whole, driven by Member States in the course of these ten years. There were many profound questions before the Committee. The new agenda item on IP and Development was one of the most challenging issues confronting the Organization and the world. The agenda item resulted from the agreement that Member States reached on addressing the implementation of the third pillar of the Committee's mandate and the Coordination Mechanisms¹. The Director General reiterated the Organization and the Secretariat's commitment to the implementation of the SDGs. This subject required a great deal of reflection. The Secretariat was hard at work in addressing this question from its point of view, fully aware that the SDGs covered everything and everyone. The Organization as a whole and all Member States were concerned by the SDGs and their appropriate implementation. Another profound question that the Committee would be addressing was transfer of technology, a subject addressed within the international community for some 40 years at least, in various organizations, in various ways. It was an exceptionally important question because we lived in a world in which the asymmetries in relation to technological capacity were large and arguably getting larger. Transfer of technology was a key mechanism in addressing those asymmetries. In this regard, the Secretariat had prepared several papers for the consideration of Member States. This session also provided an opportunity to review progress made in the course of the last 12 months, particularly with reference to the six ongoing DA projects in the course of the last year, and in general, the achievements in relation to the implementation of the 19 recommendations of the DA. Another profound question was the WIPO Technical Assistance in the Area of Cooperation for Development. This subject was discussed by the Committee in the past. It was now a separate

¹ Coordination Mechanisms and Monitoring, Assessing and Reporting Modalities (Coordination Mechanisms), available at: http://www.wipo.int/ip-development/en/agenda/coordination_mechanisms.html

agenda item. There were several documents, notably the Report on the Roundtable on Technical Assistance and Capacity Building: Sharing Experiences, Tools and Methodologies and the Report on the WIPO Roster of Consultants Database. The Director General wished all delegations very fruitful discussions on these extremely important but nevertheless difficult and challenging questions.

AGENDA ITEM 2: ELECTION OF AN ACTING VICE-CHAIR

8. The Secretariat (Mr. Baloch) informed the Committee that according to the rules of the CDIP, a Chair and two Vice-Chairs should be elected at the first session of each year. The last session was the first session for this year. Mr. Igor Moldovan was elected as a Vice-Chair. There was only one nomination. Thus, only one Vice-Chair was elected instead of two. The Secretariat was approached by the Group of Central European and Baltic States (CEBS) to replace him with the Head of the Moldovan IP Office who unfortunately could not attend this meeting. To cater to the request by CEBS, this was included as Agenda item 2. As an exception, it was called an acting Vice-Chair instead of a permanent Vice-Chair as the latter meant a regular Vice-Chair elected at the first session of the Committee. Accordingly, the position of two Acting Vice-Chairs was open for this session and in the coming months up to the next session of the Committee. The Chair would like nominations from Delegations to elect two Acting Vice-Chairs.

9. The Chair enquired as to whether the Vice-Chair could be from another region.

10. The Secretariat (Mr. Baloch) stated that the rules of the Committee were silent on this aspect. Thus, it was assumed that the Vice-Chair could be from CEBS or any other group, bearing in mind that there were two positions open. If there was one nomination from CEBS, the other could be from any of the other regions.

11. The Chair requested the regional groups to consult and see if they could agree on one name to be announced in the afternoon in order for it to be approved by the Committee as a whole.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

12. The Chair informed the Committee that the draft agenda (document CDIP/20/1 Prov. 4) was based on discussions during CDIP/19. The agenda was adopted given that there were no observations from the floor.

AGENDA ITEM 4: ADOPTION OF THE DRAFT REPORT OF THE NINETEENTH SESSION OF THE CDIP

13. The Chair invited the Committee to adopt the report (document CDIP/19/12 Prov.). It was adopted, given that there were no objections from the floor.

AGENDA ITEM 5: GENERAL STATEMENTS

14. The Chair opened the floor for general statements.

15. The Delegation of Georgia, speaking on behalf of CEBS, took note of the decision of the 57th General Assembly (GA). It welcomed the compromise decision on adding a new agenda item on IP and Development which concluded the debate on the Coordination Mechanisms. The decision of the GA supported the belief that the Committee should be the key WIPO body where the knowledge and expertise regarding WIPO DA and the issues related to IP and

development should be concentrated. The Group welcomed the progress made during CDIP/19 on the Independent Review on the implementation of the DA Recommendations and hoped the discussions on the remaining ones would continue in the same constructive spirit. Given the wide range of topics for the session, the time allocated should be used in a pragmatic and efficient manner to cover all agenda items. The Group assured the Chair of its constructive and positive engagement in the discussions ahead.

16. The Delegation of Indonesia, speaking on behalf of the Asia and the Pacific Group, emphasized the importance of the Committee's work. The Group continued to support WIPO's mission to lead the development of a balanced and effective international IP system that enabled innovation and creativity for the benefit of all. One of the means to fulfill that mission was through the work program for the implementation of the 45 adopted DA recommendations (DARs). This was done in the Committee. The Group had taken note of the documents under agenda item 6, "Monitor, assess, discuss and report on the implementation of the DARs". It welcomed the Progress Reports, the document on Measures Undertaken to Disseminate the Information Contained in the Database on Flexibilities and the documents on technology transfer. The Group also welcomed the contribution of relevant WIPO bodies to the implementation of the respective DARs. Almost all of its members encouraged other relevant WIPO bodies to enhance their contribution to the implementation of the DARs. Technical assistance was an important area. The delivery of technical assistance needed to be timely, efficient and coherent in order for it to be effective. There was a need to develop an institutional mechanism to avoid duplication and ensure an optimal channelization of resources. The Group hoped that the discussion on the external review on WIPO technical assistance and other discussions on technical assistance would bring uniformity, better organization and clarity to existing processes and practices. The Group had taken note of the Report of the Roundtable on Technical Assistance and Capacity Building: Sharing Experiences, Tools and Methodologies. It wished to see further elaboration on the implementation of the takeaways from the Roundtable. On agenda item 7 "IP and Development of adopted recommendations", the Group had taken note of all the documents. It looked forward to a full discussion on the African Group's proposal for a biennial international conference, on technology transfer, and on SDGs. It hoped that the Committee would be able to agree on how to move forward on those issues in this session. The Group also looked forward to the discussion on implementation of the recommendations of the Independent Review. It welcomed the recommendations which called for improvements in WIPO's performance and work on DA implementation, and set out a process to take action on the recommendations. Implementation of the DA was a long-term process. The DA Recommendations (DARs) were part of that process. In this context, the Group recalled the 2010 WIPO GA decision which stated that upon consideration of that review, the CDIP may decide on a possible further review. The Group looked forward to the discussion on this item. It hoped that discussions on the new Agenda item on IP and Development could further strengthen WIPO's mission for a balanced and effective international IP system that benefitted all. The Group's members would make interventions in the discussions on specific agenda items. It looked forward to contributing to the proceedings in the Committee and hoped for a productive session.

17. The Delegation of Costa Rica, speaking on behalf of GRULAC, noted that there were many items on the agenda for this session. The Group would adopt a constructive approach. On substantive items, the Group reiterated the importance of continuing work for the proper implementation of CDIP's mandate. The DA was created more than ten years ago. There was a need to make more efforts to make progress on the third pillar of the CDIP's mandate, i.e. to discuss IP and development-related issues. The Group welcomed the decision taken at the last GA, to include IP and Development as an Agenda item. This was an important achievement for all members and would assist in the implementation of the third pillar of the Committee's mandate. It encouraged all Member States to submit specific proposals to be explored under this item. The Group attached great importance to the implementation of the SDGs. Hence, the

discussions on the way to address SDGs in future CDIP sessions, including the request for establishing a permanent agenda item were important. The SDGs represented the efforts of the international community. The 2030 Agenda for Sustainable Development was unanimously adopted. It aimed to coordinate global efforts to implement the three dimensions of sustainable development, namely, economic, social and environmental. The SDGs were universal and indivisible. WIPO was a specialized agency of the UN. It should provide its expertise in achieving these Goals. The Committee was the ideal forum for WIPO to present and share with Member States its contributions to this process. SDG 9, “Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation”, involved WIPO’s work which had cross-cutting effects. With regard to discussions on the Implementation of the Recommendations of the Independent Review, the Group hoped that pending issues would be resolved. This would strengthen the implementation of the DA. It hoped that progress would be achieved on all the agenda items for this session. The Group was committed to achieving positive results at this session.

18. The Delegation of Senegal, speaking on behalf of the African Group, attached great importance to the work of the CDIP. The importance of the Committee was reflected in its mandate to develop a work-program for implementing the 45 adopted DARs; monitor, assess, discuss and report on the implementation of all recommendations adopted and for that purpose to coordinate with relevant WIPO bodies; and discuss IP and development related issues as agreed by the Committee, as well as those decided by the GA. The Group welcomed the progress achieved by the Committee. It had a strong impact on promoting creativity and innovation, as reflected in the many initiatives adopted and reported in the Progress Reports (document CDIP/20/2). The Group also welcomed the decision at CDIP/19 to include a new agenda item on IP and Development. This should include challenges in the context of IP and development. The discussions on IP and Development would contribute to achieving the goals of the Committee. The Group encouraged WIPO to continue expanding the tools and resources available under the IP system for developing countries and LDCs. Measures had been taken to disseminate the information contained in the database on flexibilities; promote the usage of the web forum established under the Project on IP and Technology Transfer: Common Challenges – Building Solutions; and promote WIPO activities and resources related to technology transfer. All WIPO Committees should submit detailed reports on implementation of the respective DARs. The reports should go beyond compiling the statements of Delegates on the subject. The SDGs were indivisible. They were part of the CDIP’s work. There should be regular discussions on emerging issues related to IP. There should be a proper forum to exchange views and concerns on IP and development. To meet these objectives, the Group had submitted a proposal on the organization of a biennial international conference on IP and development. A revised proposal would be discussed at this session. The Group was committed to play a constructive role in the discussions on all the agenda items for this session.

19. The Delegation of Switzerland, speaking on behalf of Group B, reserved the right for further elaboration under each agenda item before touching on some items. The Group welcomed the Progress Reports on DA projects. The document provided an extensive, analytic and comprehensive overview of progress on ongoing projects and how WIPO had been implementing the DARs and principles. The Group welcomed the compromise decision on the coordination mechanism and the new agenda item on IP and Development taken at CDIP/19 which had concluded multi-year procedural discussions with a positive outcome. The Group hoped to take the spirit of constructiveness of the previous session and to move on to concrete and practical discussions on substance. With this in mind, the Group would like to present concrete suggestions on the way forward in order to provide a substantive contribution under the new agenda item IP and Development when it was discussed later in the week. The adoption of the SDGs by the UN Summit on Sustainable Development was a milestone. The Group fully supported the SDGs and WIPO’s efforts to contribute to their implementation, while recalling that the primary responsibility for achieving the SDGs rested with Member States.

Nevertheless, WIPO had an important role to play in supporting Member States to reach this goal. Specifically, WIPO should focus on the SDGs most relevant to its mandate, but use any reasonable opportunity to advance work related to other SDGs. So far, the Committee's discussions on the SDGs had been of a rather theoretical nature or on procedural aspects. It was time to move on to a more concrete and practical approach. That could help to provide Member States with knowledge exchange of national experiences concerning the use of IP tools to help in the implementation of the SDGs. The Group welcomed the important progress made during CDIP/19 with respect to the Independent Review of the Implementation of the DARs. It would constructively engage in the discussion regarding the follow-up work on technology transfer. It looked forward to discussing the four documents related to technology transfer and the Joint Proposal on activities related to technology transfer. Given the discussions held during the previous CDIP session, the Group took note of the wide array of topics that the Committee had to deal with. At the same time, the Group believed that it was of benefit to all delegations to finish the work of the Committee within the permitted time frame. The Group assured the Chair that he could count on the constructive spirit and support of its members during the session.

20. The Delegation of Estonia, speaking on behalf of the EU and its Member States, took note of the decision of the 57th WIPO GA, reaffirming its commitment to the full implementation of its 2007 decision on establishing the CDIP and its decision on relevant Coordination Mechanisms. The EU and its member states also noted the decision of the GA to add a new item to the CDIP Agenda on IP and Development, to discuss IP and development related issues as agreed by the Committee as well as those decided by the GA. They hoped that the Committee would engage in interesting and fruitful discussions under this new item for the benefit of all stakeholders. They had come to this session with a firm commitment to continue work in a constructive and collaborative manner with the aim of reaching tangible results that would benefit WIPO Member States.

21. The Delegation of China noted that the CDIP had achieved good progress in the past few sessions due to the joint efforts of all parties. The Committee established a new Agenda item and adopted most of the recommendations of the Independent Review. 15 DA projects were included in the work plan. Member States reached a consensus on a definition for "development expenditure". This would be applied in the Program and Budget for the new biennium. 18.3% of the budget will be used for development expenditure. With the passage of time, the concept of development was undergoing profound changes. Development concepts such as creation, green technologies, openness and sharing became common objectives of the international community. The Chinese Government attached great importance to this agenda. A country program on China's implementation of the 2030 Agenda for Sustainable Development was launched in 2016. In August of the current year, China began work in the Center for International Knowledge on Development and put forward a progress report on China's implementation of the 2030 Agenda for Sustainable Development. The 2030 Agenda provided important guidance for the WIPO DA and future work. WIPO should continue to play a role in the implementation of the SDGs. China would continue to support work related to the DA and strive to make pro-active contributions to establish an IP system that was balanced, inclusive and beneficial to all. At this session, the Delegation would share the results of a study on green patents. SIPO had carried out concrete actions to promote the creation of green technologies for implementing the SDGs. This was one of them. The Delegation looked forward to exchange ideas with other delegations. The Delegation would participate in the discussions on the agenda items and hoped good progress would be achieved at this session.

22. The Delegation of Ethiopia aligned itself with the statement made by the Delegation of Senegal on behalf of the African Group. Ethiopia attached great importance to the facilitation, coordination and monitoring work of the CDIP in the implementation of the 45 DA Recommendations. The role of the CDIP had become more critical than before, given the

emphasis accorded to innovation, creativity and the protection of IP within the framework of the SDGs. It was therefore crucial that the CDIP continued to engage in exploring emerging issues in the impact of development on IP and vice versa. In this context, the Delegation welcomed the Progress Reports and efforts made with regard to technology transfer. The Delegation took note of the progress made in the project on Capacity Building in the Use of Appropriate Technology Specific Technical and Scientific Information as a Solution for Identified Development Challenges. Ethiopia was selected as one of the beneficiary countries of the project. The Delegation reaffirmed Ethiopia's desire to further strengthen cooperation in these areas. As technology transfer was pivotal to transform means of production and productivity, the selection of technologies needed to be high impact, needs based, and mega scale to help LDCs to achieve the SDGs and their respective national development objectives. The decision taken at CDIP/19 to establish a new standing Agenda item on IP and Development to implement the third pillar of the Committee's mandate was an important one. This agenda item could be a valuable platform to raise the level of discussion to cover a broader realm of the relationship between the IP system and the DA. The African Group's proposal for a biennial international conference on IP and Development should be supported to continue the conversation on the interplay between development and the IP system. The Delegation encouraged WIPO to further expand the tools and resources available under the IP system for developing countries and LDCs, and the full implementation of the recommendations of the Independent Review regarding DA implementation. The Delegation looked forward to constructively engage in the discussions.

23. The Delegation of Tunisia shared the views expressed by the Delegation of Senegal on behalf of the African Group. It recognized progress achieved in CDIP/19 through consensus. The Delegation hoped further progress would be achieved at this session in order for the Committee to move forward on pending issues. Tunisia recognized the increasing impact on development of innovation and creation, and decided to place IP at the center of its development strategy. IP issues were important. The Delegation reiterated its support for organizing a biennial international conference on IP and Development in order to familiarize Member States with recent developments in this area and enable participants to discuss the relevance of IP to social, economic and cultural development. The Delegation of Tunisia would continue to contribute to the implementation of the recommendations and provide its full support to the activities.

24. The Delegation of Indonesia aligned itself with the statement it delivered on behalf of the Asia and Pacific Group. In today's increasingly integrated world, the SDGs must be conceived as a truly global agenda with shared responsibilities for all countries based on a strong commitment to engage in collective actions that required support from developed and developing countries. WIPO was in a position to build on the strengths of the current global partnership for development and go beyond its present framework to ensure that the global IP system worked for the benefit of all. The Delegation looked forward to the discussions on the way to address SDGs in future CDIP sessions, including the request for establishing a permanent agenda item. One of WIPO's Strategic Goals was to facilitate the use of IP for development. As a specialized agency of the UN, WIPO had a mission to develop a balanced and accessible international IP system that rewarded creativity, stimulated innovation and contributed to economic development. In this context, mainstreaming development in the various WIPO committees should not be seen as a one-off effort. It was a long-term, ongoing process that needed to be pursued collectively and consistently. Furthermore, efforts in mainstreaming development elements should be conducted in earnest through specific tailor-made programs and activities. The mainstreaming of these elements should also bring real results in the contribution of IP to economic development, especially in developing countries. Therefore, the Delegation supported all efforts to implement the recommendations of the Independent Review of the implementation of the DA Recommendations. The Delegation called for further actions and follow-up in the implementation of those recommendations. The

Delegation urged all Member States to constructively engage on the discussions regarding this matter, especially on the adoption of Recommendations 5 and 11. The Delegation referred to the Roundtable on Technical Assistance and Capacity Building. Discussions at the Roundtable on issues concerning WIPO's technical assistance were not exhaustive. There should be further elaboration on the follow-up and implementation of some ideas to make the delivery of technical assistance more efficient and sustainable. The Committee should continue to review and discuss WIPO technical assistance and capacity building based on the approved six points in the proposal as well as documents CDIP/8/INF/1, CDIP/9/15, CDIP/9/16 and CDIP/16/6. The Delegation welcomed the Progress Reports contained in document CDIP/20/2. DA projects should be efficient and sustainable, especially those that involved national agencies outside the IP office. A mechanism for the Committee to assess the extent to which DA mainstreaming was achieved in completed DA projects was important. DA projects should be balanced. They should focus not only on promoting IP protection and enforcement, but also on facilitating the use of IP as a tool for economic development. Flexibilities were an integral part of the IP system. WIPO and related international organizations should make available advice to developing countries and LDCs on the understanding of flexibilities contained in international IP treaties and agreements. WIPO should facilitate the full use of IP flexibilities to craft a greater development role for IP as a tool for economic growth. WIPO still had room to develop more tools on IP related flexibilities, access to knowledge and transfer of technology. There was a need to continue disseminating information contained in the database on flexibilities and to encourage its use. The database should be expanded to include flexibilities in all fields of IP. It should not be limited to flexibilities in the patent system. The Delegation strongly supported African Group's proposal for organizing a biennial international conference on IP and development. The conference would help to raise awareness on how to harness IP policies as a tool for economic development. The Delegation reiterated its support for the Committee's work. It looked forward to contributing to the meeting, and hoped for a fruitful and productive session.

25. The Delegation of Oman stressed on the importance of the Committee. It was a forum for Member States to review progress achieved in the area of IP and development. A number of initiatives had been undertaken in relation to the Database on Flexibilities. This was a very important database. It should include flexibilities in other areas of IP, not only patents. The proposal of the African Group to organize a biennial international conference on IP and development was very important. All countries could benefit from such a conference. The Delegation assured the Chair of its full commitment to the work of the Committee.

26. The Delegation of Pakistan aligned itself with the statement made by the Delegation of Indonesia on behalf of the Asia and the Pacific Group. The CDIP was a very important WIPO Committee. Progress in the CDIP, effective implementation and continued importance of the DA as well as its mainstreaming into all organs of WIPO was crucial. Uniform implementation of the CDIP's mandate would help to ensure a balanced global IP system. The Delegation looked forward to making progress and having constructive discussions on all the agenda items. The Delegation had examined the documents under agenda item 6. It took note of the Progress Reports (document CDIP/20/2) on the implementation of projects approved by the CDIP pursuant to the implementation of the DA. The Secretariat should enhance follow-up activities on the projects and develop tools as part of the DARs on IP flexibilities, access to knowledge and technology transfer. The report demonstrated that the Secretariat continued to pursue an IP-oriented approach towards development issues that focused on IP protection and enforcement. However, the Secretariat should strike a balance in this regard as the DA was adopted to bring equilibrium. The focus was not only on the positive role of IP, but also on how to adjust and safeguard from the negative implications of IP protection faced by developing countries. On Measures Undertaken to Disseminate the Information Contained in the Database on Flexibilities (document CDIP/20/5), the Delegation noted that Member States agreed in CDIP/18 on a mechanism for communicating and notifying national laws related to flexibilities.

The Secretariat should expand the scope of the database to include flexibilities in all IP fields. The Delegation supported the six steps comprising possible actions proposed by the Secretariat for promoting the usage of the Web Forum established under the Project on IP and Technology Transfer: Common Challenges – Building Solutions (document CDIP/20/7). The roadmap would be helpful for developing the online community with a specific focus on topics related to technology transfer, open collaborative innovation and capacity building. The Delegation hoped the project would be able to attract and retain users from the target audiences, and foster interaction among and within these users. Technology transfer was a prerequisite for developing countries to improve their capacities and to fulfill their obligations. The examples provided in document CDIP/20/11, including awareness raising training programs and publications, provided a starting point on the nature of activities and resources to be promoted. It was important to continue with concerted efforts to reach wide ranging audiences, especially in developing countries where there was still the need to increase awareness and knowledge on technology transfer. The Delegation referred to the Report of the Roundtable on Technical Assistance and Capacity Building (document CDIP/20/3) and encouraged the Secretariat to convene more roundtables on technical assistance with the focus on exchanging views on the various dimensions and aspects of technical assistance. An institutional mechanism should be devised to avoid duplication and ensure optimal channelization of resources. Member States should share experiences on implications of the IP system for countries in a manner that may complement their levels of development. On Agenda item 7, the Delegation welcomed the recommendations in the Report of the Independent Review of the implementation of the DARs and looked forward to the discussions. The uniform implementation of DARs was mandatory to resolve outstanding issues related to the Committee's mandate and the implementation of the Coordination Mechanisms. Linkages between DARs and the Program and Budget Committee should also be streamlined. The Delegation looked forward to making progress in this session. As Member States agreed to work towards full implementation of the SDGs, WIPO should also support Member States in the implementation of the SDGs. The Delegation supported the proposal by the Delegation of Brazil (document CDIP/18/4) on the inclusion of a CDIP standing agenda item on this implementation. The Delegation also supported the revised African Group proposal (document CDIP/20/8) on organizing a biennial conference on IP and development. The proposal in its current form offered many merits. It would be helpful in briefing Member States on recent developments in IP and development, awareness raising, and enable participants to discuss not only the benefits of the IP system but also the relevance of IP to social, economic and cultural development. On agenda item 8, the Delegation was pleased to note that the topic of IP and Development had made it to the CDIP agenda to implement the third pillar of the Committee's mandate. The Delegation expected the discussions on this agenda item to not be simply symbolic in nature but go beyond reviewing the implementation of specific projects. It hoped for meaningful exchanges that would broaden the various perspectives. Member States should provide written contributions in this regard.

27. The Delegation of the Islamic Republic of Iran associated itself with the statement made by the Delegation of Indonesia on behalf of the Asia and the Pacific Group. The IP system played a key role in supporting innovation and technology, essential components of sustainable development. The CDIP, as a platform for monitoring and evaluating the Organization's implementation of the DARs and issues related to IP and development, played an important role in increasing the understanding of Member States on IP and development issues. In this regard, the Delegation welcomed the consensus decision taken at CDIP/19 to add a new agenda item on IP and Development to discuss IP and development related issues. After ten years of discussing DARs, the decision allowed the CDIP to introduce a higher level of debate to address the mandate of the Committee. The WIPO DA was one of the most important outcomes of the discussions on development in the area of IP. It resulted from the perception that more must be done to overcome obstacles in the dissemination of IP benefits. Despite progress, many challenges still remained in building an inclusive, balanced and development-oriented IP system. The Delegation continued to support activities related to the DARs and

contributed its fair share to the implementation and further development of an international IP regime. The recommendations included in the Independent Review of the Implementation of the DARs could be considered as an appropriate basis, among others, to strengthen the work of WIPO and CDIP in implementing the DARs. Most of the recommendations had been adopted by the CDIP. The Delegation was ready to continue discussions on recommendations that were still not adopted. It would engage constructively in negotiations on modalities and implementation strategies for the adopted recommendations. Like other UN agencies, WIPO must ensure that its work was in line with the 2030 Agenda for Sustainable Development and the SDGs. The SDGs were integrated and indivisible in nature. They concerned all UN Member States. They must be approached in a holistic manner. WIPO should go beyond its current framework to ensure that the global IP system worked for the benefit of innovation and assist Member States in their development by contributing more effectively to the attainment of the SDGs which would benefit all countries and the global economy. The CDIP was the ideal forum for WIPO to present and share with Member States its contribution to this process. Therefore, it was necessary to include a standing agenda item on the implementation of SDGs in future sessions of the CDIP. Technical assistance and capacity building activities should always be development-oriented. The Committee could help to strengthen technical cooperation to empower countries to use the IP system as a contributing factor for achieving their development goals and increasing their level of innovation in a global economy. In this context, technical assistance should focus on implementing national IP strategies and exploring flexibilities contained in the international IP system. This would help countries to respect the international legal framework and preserve policy space to make national IP systems more effective. The Delegation looked forward to the flexible and constructive engagement of Member States and stakeholders to advance the work of the Committee. It would take the floor in the deliberations on each agenda item.

28. The Delegation of Egypt supported the statement made by the Delegation of Senegal on behalf of the African Group. It welcomed the results achieved at the last session. The Delegation referred to the work carried out by the Organization in relation to the DA. The activities should take into account the needs of different countries. With regard to the SDGs, the Delegation supported the efforts of the Organization to contribute to the achievement of these goals in the area of IP. The indivisible nature of the SDGs should be taken into account in this regard. The Delegation also supported the role of the Committee in addressing the SDGs. The Delegation supported the proposal by the African Group on organizing a biennial international conference on IP and development. It would engage constructively with other delegations to find the best possible way to organize such a conference.

29. The Delegation of Brazil aligned itself with the statement made by the Delegation of Costa Rica on behalf of GRULAC. In the last session, the Committee managed to agree on some long-standing issues. After years of discussion, the Committee was able to agree on the creation of a permanent agenda item entitled IP and Development. Integrating the development dimension into WIPO's activities would strengthen the credibility of the IP system and encourage its wider acceptance as an important tool for promoting innovation, creativity and development. This was the ultimate guarantee of the legitimacy of the multilateral system. The standing agenda item would facilitate the implementation of the third pillar of the Committee's mandate, provide greater transparency to the discussions and allow Member States to increase their accountability and monitoring of the Secretariat's initiatives. It would also help Member States to explore different dimensions and linkages between IP and development. This would assist in the development of better policies in this field for the benefit of all Member States. Brazil was one of the leading voices in favor of the creation of the standing item. It intended to contribute with concrete and substantive ideas in this session to help in the implementation of this agenda item. Development was one of the most daunting challenges facing the international community. The importance of facing up to this challenge was widely acknowledged in many international *fora* at the highest level. WIPO, as a specialized agency of

the UN, should contribute substantively to the implementation of the SDGs. The mandate of the CDIP brought the topic of the SDGs under its scope, without prejudice to discussions on the matter in other WIPO committees. The first Report on WIPO's Contribution to the Implementation of SDGs and its Associated Targets was circulated in the last session. It was a first step in the right direction. However, more details were required, for instance, on the nature of the Secretariat's contribution to UN inter-agency work. Member States also required additional information on the assistance WIPO could provide to enable them to formulate proper requests. Furthermore, the Report should contain information on how each Strategic Goal implemented the SDG that was specifically related to it. This request was made in the last session of the PBC in September. The Delegation looked forward to making progress in this regard. WIPO should not restrict its role to a few SDGs. WIPO was too important for that. IP was too vast a subject for that. The importance of innovation was undisputed but so was the importance of the remaining SDGs. All of them were objectives to which WIPO could and must provide relevant inputs. An integrated approach was the lynch pin of the 2030 Agenda and should lead to a cross-cutting understanding of the significant linkages across the 17 SDGs and their associated targets. WIPO must play an active role to support their implementation. The CDIP could assist in the appropriate and comprehensive treatment of this topic in the Organization. On technology transfer, the Delegation recognized the efforts made by the Secretariat and believed the Committee was heading in the right direction. There was a need to build on the efforts made so far in order to develop a work program that contributed to the improvement of the current patent system to increase the transfer and dissemination of technology in a manner that was conducive to social and economic welfare, in line with the DA. An inclusive, balanced and development-oriented IP system could encourage innovation and new technologies. This would increase economic growth in the medium and long term for the benefit of all countries. The Delegation urged all Member States to fully engage in the discussions during the session and ensure that WIPO played the role it should play in this important multilateral effort. The Delegation hoped for fruitful discussions in order to agree on a balanced and effective work program on IP and development, and the SDGs.

30. The Delegation of Ecuador supported the statement made by The Delegation of Costa Rica on behalf of GRULAC. The Delegation attached importance to the work of the CDIP. The Committee dealt with various substantive issues, in particular, the implementation of the DA. It included non-traditional topics such as tourism, culture and sport. The Delegation referred to the implementation of the project on IP, Tourism and Culture. Ecuador was involved in the project since last year. The project enabled the authorities to open up a discussion among stakeholders, civil society and local government. Implementation of the project was being carried out successfully in various regions of Ecuador. The country was committed to the achievement of the SDGs. The SDGs were cross-cutting and global in nature. Therefore, the Delegation continued to support the proposal by the Delegation of Brazil. The Delegation was also very interested in topics such as technical assistance and South-South Cooperation. It supported efforts to improve WIPO technical assistance. There was a need to work on the implementation of the Committee's mandate. The Delegation looked forward to making progress at this session and would participate constructively in the discussions on the various agenda items.

31. The Delegation of the Republic of Korea recognized that the CDIP had made good progress in implementing the DARs in the last few years. The importance of IP-related projects that promoted balanced growth among developed and LDCs was undeniable. The IP divide that existed between developed and least developed countries may become more substantial in the era of the fourth industrial revolution. In collaboration with WIPO, the Korean Intellectual Property Office (KIPO) was working to bridge the divide among Member States through utilizing the Korean Funds-in-Trust (FIT). In efforts to accomplish the aforementioned vision, KIPO and WIPO were jointly in the midst of holding appropriate technology competitions in the Central American and Caribbean regions, including El Salvador, Dominican Republic, Panama and

Costa Rica. Two hundred and sixty (260) projects had been submitted and the events were gaining the attention of developing countries. To date, KIPO and WIPO had worked together to host 16 appropriate technology competitions in 12 countries. In addition, KIPO recently completed their IP sharing project to develop and disseminate a solar powered dryer for agricultural products and opened the Agricultural Appropriate Technology Research Center in Makerere University in Kampala, Uganda, with the goal of enhancing agricultural technology in the region. To date, KIPO had implemented 15 appropriate technology projects in 13 countries to meet the needs of developing countries and LDCs. The Delegation looked forward to constructively discuss such concerns during the session.

32. The Delegation of Nigeria aligned itself with the statement made by the Delegation of Senegal on behalf of the African Group. It gave high priority to the implementation of the CDIP's mandate. Therefore, it expected WIPO and Member States to be committed in ensuring a more globally balanced IP system. The Delegation hoped that the Committee would be able to achieve progress during this session. The contribution of relevant WIPO bodies to the implementation of respective DARs in accordance with the coordination mechanism established by the GA should be taken seriously. The Delegation looked forward to seeing the CDIP review the discussions in various WIPO bodies and provide feedback on the implementation of the DA through the activities of those bodies. It hoped that the Committee would be able to make progress during this session to achieve positive results. WIPO had a mandate to work on the transfer of proprietary technology. In this context, technical assistance activities related to technology transfer and the promotion of specific projects, including links to the database should be visible, flexible and inclusive. It would also be helpful for WIPO to provide a clear understanding of the scope of its activities in relation to technology transfer and related provisions in the normative instruments that provide a mandate for various inter-governmental bodies. The Delegation reiterated its readiness to work with all delegations to achieve positive results on all issues during the session. It would speak on specific issues under the agenda items.

33. The Delegation of South Africa aligned itself with the statement made by the Delegation of Senegal on behalf of the African Group. The DA was adopted ten years ago. It sought to level the playing ground between developed and developing countries. The UN High-Level Political Forum marked the first cycle of the follow up to and review of the state of implementation of the UN 2030 Agenda for Sustainable Development, including the SDGs. Both the WIPO DA and the SDGs placed obligations on WIPO, particularly with regard to how it should conduct its business. As critical pillars of the WIPO DA, technology transfer, technical assistance and capacity building should remain at the core of the CDIP discussions, particularly as they were important means of implementing the UN SDGs. The Delegation noted the spirit behind the adoption of the WIPO DA and progress made to-date. However, it was disappointed by the insufficient mainstreaming and implementation of its recommendations, as revealed in the recent Independent Review, particularly the continued lack of effective coordination, monitoring, reporting and evaluation. In this context, the Committee had a meaningful role in ensuring that the evolution of the international IP system took into account the interests and concerns of developing countries. Moreover, the development dimension should be mainstreamed across all areas of WIPO's activities, including the implementation of the 2010 WIPO GA decision on Coordination Mechanisms. The Delegation was fully committed to engage to ensure the success of this session.

34. The Delegation of Uganda fully aligned itself with the statement made by the Delegation of Senegal on behalf of the African Group. Reserving the right to make further comments in the discussions on each agenda item, the Delegation provided preliminary comments on some issues. The WIPO DA was based on the understanding that protecting IP without focusing on improving developmental structures within developing and least developed countries would only worsen the knowledge gap in the long run. Therefore, the Delegation supported the CDIP's

work and the full implementation of all projects aimed at implementing the DARs, included those reported in the Progress Reports contained in document CDIP/20/2. Uganda was and continued to be a beneficiary of CDIP projects. However, not all IP-related development needs and challenges may be duly addressed by the CDIP projects. Some needs and challenges mainly required policy decisions at regional, sub-regional and international levels. Therefore, the Delegation welcomed the decision taken at CDIP/19 to include a new permanent standing agenda item on IP and development. This would enable discussions on IP-related development issues and challenges that may not be duly addressed by CDIP projects. The Delegation also supported the proposal for a standing agenda item on SDGs in the Committee's future program of work. The SDGs were the UN blueprint for all development-oriented activities post-2015. It was imperative for all UN agencies, including WIPO, to work together at the global, regional sub-regional and country levels. Cooperation helped to avoid duplication among agencies, ensure synergies, and enhance the support provided by the UN system to developing countries. The Delegation referred to the proposal by the African Group on the organization of a biennial conference on IP and development and encouraged all Member States to consider this Agenda item in a constructive spirit to secure a positive outcome. The Delegation looked forward to further discussions on all agenda items in this session.

35. The Delegation of Cote d'Ivoire supported the statement made by the Delegation of Senegal on behalf of the African Group. The CDIP was an essential forum to ensure the implementation of the DA. The Delegation encouraged the Secretariat to continue its efforts in respect of certain DA projects that Cote d'Ivoire had benefitted from. The Delegation hoped there would be progress in WIPO's contribution to the achievement of the SDGs. The implementation of these recommendations should be balanced and take into consideration the level of development of countries.

36. The Delegation of Japan aligned itself with the statement made by the Delegation of Switzerland on behalf of Group B. Since 1987, the Japanese Government had made annual voluntary contributions to WIPO for development cooperation in the field of IP rights. This year, Japan donated 5.9 million Swiss francs, as it did last year. In making effective use of its (Funds-in-Trust (FIT), Japan had been implementing a variety of assistance programs for developing countries in the Asia Pacific and African regions in the field of industrial property. Since 1996, it had welcomed more than 1,800 trainees from 59 countries and four regional IP Offices, holding various workshops and seminars, and since 1987, it had sent more than 300 of its own experts to 35 countries. Furthermore, through its FIT, Japan had been assisting WIPO to advance the initiative to enhance technical and knowledge infrastructure. This included projects to digitize documents filled in paper form and improve IT infrastructure in IP Offices. In addition, in the field of copyright, Japan had welcomed more than 340 trainees from 27 countries in the Asia and Pacific region. The Japan FIT had supported the development of the culture and contents industry by establishing copyright systems and developing human resources in the region. Japan also hosted the WIPO Asia and Pacific Regional Meeting for Heads of Copyright Offices in October 2017. Representatives from 27 ASPAC countries participated in the meeting. Japan's cooperation and assistance activities for developing countries through its FIT had a long history with many outstanding achievements. The Japan FIT would commemorate its 30th anniversary in fiscal year 2017. The Japan FIT for Africa and LDCs was established by the Japanese Government in 2008, after the adoption of the WIPO DARs. Its 10th anniversary would be in fiscal year 2018. In celebrating the 30th anniversary of the Japan FIT, WIPO and the Japan Patent Office would hold a WIPO High Level Forum on Utilizing the IP system for Economic, Social and Cultural Development in Tokyo on February 22 and 23, 2018. Top level officials from more than 50 IP offices in developing and LDCs would be invited to the Forum. Japan recognized the importance of conducting development activities effectively and efficiently in line with WIPO's objective to promote the protection of IP. Going forward, the Japanese Government, in cooperation with WIPO, was committed to further improve its cooperation initiatives to ensure that the Japan funds were used even more efficiently and effectively.

37. The Delegation of Benin supported the statement made by the Delegation of Senegal on behalf of the African Group, particularly with regard to the organization of an international conference on IP and development. Special emphasis should be given to the issue of technology transfer. National IP offices should make the decisions of the Committee known at the national level. The Delegation welcomed the technical assistance provided by WIPO to Benin and expressed its full support the Organization. Its work should be carried out in a balanced manner, taking into account, social, economic and environmental dimensions.

AGENDA ITEM 6: MONITOR, ASSESS, DISCUSS, REPORT OF ALL DEVELOPMENT AGENDA RECOMMENDATIONS

Progress Reports (document CDIP/20/2)

38. The Chair invited the Secretariat to present the report for the project on IP, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and Other Developing Countries.

39. The Secretariat (Ms. Toso) introduced the report. The project was concluding its second year of implementation. It was on schedule. Progress was made with regard to the activities. Stakeholders were actively involved in the national steering committees on IP and tourism. There was a clearer understanding of the links that exist between IP and tourism, particularly in understanding the benefits of using a range of IP tools and strategies in promoting sustainable tourism in line with local development objectives and the framework of sustainable development. The research conducted by the Secretariat and the teams of national consultants in the four pilot countries demonstrated that the effective and strategic use of IP in connection with tourism-related businesses, practices and policies could be a factor for local development. Research conducted by the Secretariat would result in a publication next year. The research carried out at a national level had resulted in a series of national studies. The study on the Use of IP in Tourism and Culture in Sri Lanka was released in Sri Lanka last week at a press conference and seminar with the participation of the Minister of Tourism, policymakers and tourism stakeholders. A capacity building workshop was held in Ecuador last week. The workshop highlighted the potential to use IP tools in connection with the promotion of eco and cultural tourism. The study in Namibia had been finalized and would be launched at the beginning of 2018. The study in Egypt was in its final stages and would be discussed next week with members of the Steering Committee on IP and Tourism in Egypt. With regard to the connections between IP, tourism and development, the focus was on sustainable tourism. This was what countries wanted to achieve. Sustainable tourism was based on the principles of economic, environmental and socio-cultural sustainability. IP tools could play a role in decision-making by businesses, governments, national authorities and public/private partnerships with a view to promoting tourism. The entire range of IP tools and strategies could be utilized to meet specific results. This was confirmed by the research. According to the choices and priorities of each country, such tools could also be used for branding countries, locations, regions and destinations. The next phase of the project would focus on capacity building and awareness raising. Workshops and seminars in the four countries would offer opportunities to share and disseminate knowledge acquired through quantitative and qualitative research. These events would involve stakeholders. There would be discussions on how IP tools could be effectively used in promoting sustainable tourism and local development. This would be illustrated in respect of cultural tourism, eco-tourism, natural tourism, wellness tourism and other forms of tourism. The work carried out thus far would assist in the identification of specific projects to be carried out after the conclusion of the current project. Lastly, an important component of the project would focus on introducing elements of the use of IP in tourism in academic programs

with a view to creating long term capacities in the countries with regard to the management of tourism practices which involve IP.

40. The Delegation of the Czech Republic believed that quality was a critical issue for the tourism industry. The Delegation enquired as to whether the use of certification marks had been explored in the project activities.

41. The Delegation of Brazil recognized the role played by the Secretariat in making the project a success thus far.

42. The Delegation of Switzerland, speaking on behalf of Group B referred to document CDIP/20/2 and welcomed the comprehensiveness of the report. This demonstrated WIPO's continued commitment to the effective implementation of the DARs. The Group also welcomed the analytic description of each project and the self-evaluation exercise. It welcomed the summaries of the technical assistance projects that were designed and delivered for developing countries and LDCs in order to empower Member States to use the IP system for development and economic growth. WIPO should continue to lead in the development of a balanced and effective international IP system that enabled innovation and creativity for the benefit of all, respecting the Organization's main objective, namely, to promote the protection of IP throughout the world and noting that development considerations were an integral part of its work in order to enable Member States to use IP as a positive development tool.

AGENDA ITEM 2: ELECTION OF AN ACTING VICE-CHAIR (RESUMED)

43. The Chair invited delegations to propose nominations for an acting Vice-Chair.

44. The Delegation of Indonesia, speaking on behalf of the Asia and the Pacific Group, proposed Ms. Zunaira Latif, Second Secretary of the Permanent Mission of Pakistan to the UN in Geneva, as an acting Vice-Chair.

45. The Delegation Senegal, speaking on behalf of the African Group, supported the proposal.

46. Mrs. Zunaira Latif, Second Secretary, Permanent Mission of Pakistan was elected as an acting Vice-Chair, given that there were no objections from the floor.

AGENDA ITEM 6: MONITOR, ASSESS, DISCUSS, REPORT OF ALL DEVELOPMENT AGENDA RECOMMENDATIONS (RESUMED)

Progress Reports (document CDIP/20/2) (continued)

47. The Chair resumed discussions on the report for the project on IP, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and Other Developing Countries.

48. The Delegation of Sri Lanka stated that it was selected as one of the four countries to participate in the project. The project was launched in Sri Lanka in May 2016. The project had generated a lot of interest and enthusiasm among local stakeholders in promoting the role of IP in tourism-related economic activities. The implementation of the project was expected to enhance competitiveness and boost tourism income generation. In Sri Lanka, a lot of progress was made in the implementation of the project within a period of less than one and a half years. Significant developments include the establishment of a national Steering Committee for project

implementation and monitoring at the national level. A cooperation agreement between the Sri Lanka Tourism Development Authority (SLTDA) and WIPO was signed following discussions between the Steering Committee and WIPO. There were many exchanges between the two parties. The study on the Use of IP in Tourism and Culture in Sri Lanka that was finalized by a national consultant from the law faculty of the University of Sri Lanka was officially launched on November 14 with the participation of WIPO, Ministry of Tourism, SLTDA and other stakeholders in the tourism industry. The study was the first of its kind in Sri Lanka. It identified several potential areas where IP, including trademarks, collective marks, certification marks, geographical indications, industrial designs, utility models, patents, copyright and related rights, trade secrets and protection against unfair competition could be integrated into the tourism industry. The study also provided for Sri Lanka to adopt a tourism promotion strategy for destination branding involving a combination of different elements, including brand names, URLs, logos, symbols, characters, slogans, jingles and packages. These could be protected through several forms of IP rights, namely, trademarks, copyright and design rights. Three stakeholder meetings were held during the launch of the national study. Officials and representatives from the tourism industry and associated industries participated in the meetings. Areas such as Ayurveda, eco-tourism, cultural tourism and agricultural tourism were identified for further cooperation under the project in Sri Lanka. The WIPO Secretariat undertook several missions to Sri Lanka over the past year to assess the progress achieved in project implementation. During these visits, WIPO and SLTDA organized awareness raising programs in Colombo and other cities. These were useful in the finalization of the study. The national consultant was currently working on the development of specialized IP curricula with the Sri Lanka Institute of Tourism and Hotel Management and other IP-related tertiary educational institutes such as universities. The Delegation hoped the outputs from the project in Sri Lanka would be helpful to all Member States. The experience gained from the four national projects could be integrated to provide a useful template for the development of IP and tourism across the world. The Delegation looked forward to continued cooperation in the implementation of the project. It also looked forward to contributing to the discussions in the Committee.

49. The Delegation of Senegal, speaking on behalf of the African Group, welcomed progress achieved under the projects in document CDIP/20/2. Technical assistance and capacity building were very important. The projects provided a general view of the importance of using IP as a tool for development in several social and economic sectors. The studies that were carried out provided a range of perspectives that would be of use to countries. The Group took note of the risks and mitigation efforts, issues requiring support or attention, the way forward, implementation timeline and the implementation rates of the projects, as contained in the document. The Group hoped that all the expected results would be achieved. Capacity building and technical assistance projects were essential for the development of a balanced and effective international IP system.

50. The Delegation of Estonia, speaking on behalf of the EU and its member states, welcomed the progress and significant achievements of each project in document CDIP/20/2. With regard to the project on IP, Tourism and Culture, the EU and its Member States noted that the research and documentation phase had been completed in Sri Lanka, Namibia, Ecuador and Egypt. WIPO had offered practical recommendations for the consideration of policymakers and stakeholders in those countries. The current project may provide a good start for further national projects, fostering social and economic development of sustainable tourism destinations. In relation to the project on IP and Socio-Economic Development – Phase II, they noted that the project had faced delays in implementation and a six-month extension was required. They could support such an extension provided that no further delays were foreseen. With regard to the project on Capacity Building in the use of Appropriate Technology – Phase II, they noted that for all three beneficiary countries (Ethiopia, Rwanda, and Tanzania), the preparation of key project output documents, including patent search reports and technology landscape reports, had concluded. As the participation of national institutions in those countries

required extensive coordination, they hoped that delays in project implementation could be avoided for the project to successfully finish on time.

51. The Delegation of Georgia, speaking on behalf of CEBS, welcomed the document. It covered a wide range of DARs and demonstrated the commitment of WIPO to the effective implementation of the Recommendations. The Group noted the progress achieved in the implementation of the projects. It referred to the work carried out in relation to IP, tourism and culture in a number of countries. This issue was an important element in developing sustainable tourism destinations. The work undertaken by WIPO in addressing the DARs would lead to the development of a balanced and powerful IP system which enabled innovation for the benefit of all.

52. The Delegation of Indonesia welcomed the Progress Reports in document CDIP/20/2. All DA projects should be efficient and sustainable, especially those that involved national agencies outside the IP Office. A mechanism to enable the Committee to assess the extent to which DA mainstreaming was achieved in the completed projects was important. DA projects should be balanced. They should focus not only on promoting IP protection and enforcement, but also on facilitating the use of IP as a tool for economic development. With regard to the project on IP, Tourism and Culture, the Delegation noted that the project was linked to the implementation of DARs 1, 10, 12 and 40. It would like to know the extent to which these Recommendations were mainstreamed. Separately, the Delegation understood that the project focused on the potential use of the IP system to promote tourism and the benefits of using IP in promoting tourism and culture. This was welcomed. However, there were also challenges in using IP for this purpose. The Delegation enquired as to whether these were addressed in the project and Progress Reports. It would like to know about the challenges that could arise and how they could be addressed by policymakers in developing countries when the project was implemented or replicated in their respective countries.

53. The Delegation of the Islamic Republic of Iran welcomed document CDIP/20/2 and took note of the information contained therein. The Delegation underlined WIPO's continued commitment to the effective implementation of the DARs. It acknowledged the progress achieved by the Secretariat in implementing and mainstreaming the DARs into the work of the Organization. The Report indicated that such projects and activities were essential to enable countries to use IP as a tool for development and to support innovation. A number of developing countries and LDCs had benefited from the listed projects. Although there were considerable achievements in the implementation of the DARs, there were still shortcomings that needed to be addressed. For instance, there should be more activities on IP-related flexibilities, access to knowledge and transfer of technology, including the organization of regional, sub-regional and national seminars, workshops, training courses, expert advisory admissions, long-term fellowship programs and the translation of selective WIPO materials. The Delegation highlighted the role of the WIPO Academy in providing technical assistance and capacity building to Member States and urged the Secretariat to provide more substantial information on the development orientation of the training provided by the Academy. With regard to the project on IP, Tourism and Culture, the Delegation noted that a practical guide on the use of IP and tools for tourism promotion was in the final stages of production. It would like to know whether the guide was tailored to the characteristics of the countries participating in the project, or if it could be used and applied in all Member States.

54. The Delegation of Jamaica referred to the project on IP, Tourism and Culture. These were important issues for Jamaica. The Delegation enquired as to whether the project examined the use of geographical indications in a holistic way in terms of advancing tourism and culture. It also would like to know whether the project sought to assess the benefits and challenges in terms of the protection of traditional knowledge in the context of tourism and culture, and the protection of country names in the domain name system. These areas were

vital and essential to the protection and advancement of tourism and culture. The Delegation also wanted to know when the completed studies would be made.

55. The Delegation of Egypt highlighted some aspects of the implementation of the project on IP, Tourism and Culture in its country. The national research and documentation phase was underway for a study on IP, Tourism and Culture in Egypt. Field visits would take place with regard to the project. The authorities hoped to open up four areas of tourism. They were based on cultural elements, traditional knowledge and health. The awareness-raising and capacity-building phase of the project was underway. Activities would be carried out to build the capacities of key stakeholders and raise awareness of the links between IP, tourism and culture, in the framework of growth and development policies. Coordination was required at the national level between the tourism and culture sectors. The Delegation highlighted that 2017 was the International Year of Sustainable Tourism. The Second UNWTO/UNESCO World Conference on Tourism and Culture: Fostering Sustainable Development would be held in Oman in the second week of December. Egypt looked forward to further cooperation in the implementation of the project. It would strive to ensure that the next stage would be successful. It was ready to provide all the necessary support and services required for the successful completion of the project.

56. The Chair invited the Secretariat to respond to the questions and comments from the floor.

57. The Secretariat (Ms. Toso) referred to the question raised by the Delegation of the Czech Republic on the use of certification marks. In the research that was carried out, certification marks were identified as one of the possible IP tools to be used in the tourism sector. Stakeholders needed to highlight the quality and distinctiveness of what was offered. Certification could assist in that regard. For example, Ayurveda tourism was well known in Sri Lanka and attracted international tourism. It was extremely important for that particular segment of tourism to develop a certification system and issue a certification mark in respect of authentic Ayurvedic services. Ayurvedic services were offered by many providers. Authentic services should be guaranteed by a certification mark. A certification system should be developed in this regard. Similarly, certification was extremely helpful for eco-tourism, particularly as environmental concerns were of relevance to this sector. The Secretariat referred to the question put forward by the Delegation of Jamaica on the use of geographical indications in a holistic manner. Certification could also be used in connection with products of geographical origin. These products could assist in supporting tourism. The topic of using the uniqueness of products linked to the origin, which may already be protected through geographical indications, certification marks or collective marks, was considered in the studies that were carried out. For example, in Sri Lanka, Ceylon Tea was a certification mark that guaranteed the quality of tea that purely originated from Sri Lanka. The use of the mark could be extended to drive tourism in the territory where the tea was grown. The Secretariat referred to the question from the Delegation of Indonesia on possible challenges in the implementation of the project. The project looked at the use of IP tools in connection with sustainable tourism for economic development. This required environmental and other considerations to be taken into account. Thus, there was a need to involve policymakers in other areas such as environmental protection, culture and local development to ensure that tourism policies were driven not only by economic considerations but also took into account social, cultural and environmental interests. The practical guide, the Secretariat explained, was developed with a view to reflecting experiences in the use of IP in connection with tourism in a variety of countries that extended beyond those participating in the project. The Secretariat hoped it would be a useful tool for countries interested in making better use of IP in connection with tourism. A general approach was adopted for this purpose. The Secretariat referred to the protection of traditional knowledge. Although the protection of traditional medicines was relevant to Ayurveda, it was not covered in the project. The existence of trade secrets was recognized. With regard to

traditional knowledge, there may be elements of innovation that could be integrated, as for example, the Ayurvedic products that were produced by some health centers. With regard to national branding, the Secretariat stated that this would depend on a country's objectives. For example, in the case of Sri Lanka, a country branding exercise was being carried out under the 2017-2020 Strategic Plan for Tourism. However, not every country had come up with that particular angle. On the studies, the Secretariat informed the Committee that the studies in Sri Lanka and Namibia had been finalized. The study in Ecuador was close to completion. The study in Egypt would be discussed next week. The studies and the guide were expected to be made available in the next few months. All outputs of the research would be made available.

58. The Secretariat (Mr. Di Pietro) referred to the question raised by the Delegation of the Islamic Republic of Iran on the guide. The cases included in the main publication focused on most developing countries. Efforts were made to include success stories concerning the use of IP in tourism in developing countries. The Secretariat referred to the question from the Delegation of Jamaica on the protection of country names in the domain name system. This issue was raised in the discussions on the possible use of national branding policies and strategies. The Secretariat referred to the comments made by the Delegation of Indonesia. The approach of the project in promoting the use of IP in the field of tourism was to promote development. The Secretariat was conscious of the need for balance in the use of the IP system. Currently, the most useful IP tools in the field of tourism were distinctive signs. These involved marks and geographical indications. The Secretariat had been carefully promoting the use of the IP system, particularly the trademark system, through certification marks and collective marks. The ultimate objective was to use the IP system, not only to add value, but also to provide an incentive to further develop products and services linked to tourism. As far as the copyright system was concerned, some protected expressions were used in touristic expressions. Thus, the idea was to raise awareness on the use of such kind of expressions that should be subject to copyright protection. These expressions should be identified and institutions should be established to collect royalties for the creators of the works. The purpose of the project was not only to promote tourism, but also to create jobs, support development and add value in the beneficiary communities.

59. The Delegation of Indonesia stated that there were always positive and negative externalities when new policies were introduced. There were always winners and losers. The negative externalities that could result from the introduction of IP policies should be mitigated. For example, Indonesia was a country with 260 million people. Domestic tourists accounted for a lot of demand in the tourism industry. If IP policies were introduced without addressing the negative externalities, it could lower domestic demand. This could result in job losses, business closures and so on. The introduction of IP policies should involve other socio-economic development tools. The Delegation referred to the Secretariat's comments on the protection of expressions through copyright. Indonesia would like its traditional cultural expressions to be protected through a *sui generis* system. The Delegation sought clarification from the Secretariat in this regard.

60. The Secretariat (Mr. Di Pietro) clarified that it had not used the term "expressions" in relation to traditional cultural expressions and folklore. It was used instead of the term "ideas" as the copyright system only protected works or expressions.

61. The Chair closed the discussion on the project given that there were no further observations from the floor. The Committee took note of the progress achieved in the implementation of the project. The Chair then invited the Secretariat to present the progress report for the project on IP and Socio-Economic Development – Phase II.

62. The Secretariat (Mr. Fink) introduced the report. The project was related to DARs 35 and 37. The project had progressed well. Two studies were completed. These included the

regional study on Central America and the national study in Colombia. The summaries would be presented later in the week. Good progress was achieved on the other studies. The studies in Uganda and Chile were close to completion. The study in Poland was slightly delayed because the main consultant had to be changed in agreement with the Polish Patent Office. The regional study on industrial designs in several countries of the Association of Southeast Asian Nations (ASEAN) had made significant progress. The surveys conducted under the study were close to completion. This had taken more time than originally envisaged as additional efforts were required to obtain responses. The IP Offices in the three countries, namely, Thailand, Indonesia and the Philippines provided a lot of support in that regard. The study on the role of IP in the mining sector was also well underway. It was expected to be completed soon. The Secretariat requested for a six-month extension for implementing the project. It was originally supposed to end by the end of this year. The start of the project was delayed by six months due to unforeseen delays in the recruitment of a project officer. The Secretariat had not been able to fully catch up in the course of the last two and a half years. However, the project was close to completion. Two studies had been completed. The Secretariat was fully confident that the remaining studies would be completed by the end of June 2018. The final studies would be presented at CDIP/22.

63. The Delegation of Indonesia referred to the study in Poland which sought to explore the role of the IP system on innovation in the health sector. The Delegation would like the Secretariat to elaborate on the elements of the study as Indonesia had attempted to develop its health sector for years but efforts were hindered by the lack of capacity. This was mostly due to ineffective technology transfer and the lack of innovation in the country. The Delegation enquired as to whether the study addressed the imbalance between patent protection and effective technology transfer.

64. The Delegation of the Islamic Republic of Iran recalled that one of the objectives of Phase II was to extend the scope of the project to new topics that were not covered in Phase I. The Delegation would like to know what was added in this regard.

65. The Delegation of China noted the achievements made in the period under review with regard to the implementation of the six ongoing DA projects and the 19 DARs. These were beneficial for developing countries, particularly for the countries participating in the projects. The Delegation referred to the project on IP and Socio-Economic Development – Phase II. It was important to strengthen studies on the link between IP and socio-economic development. The results of the studies would help policymakers in each country to better assess the impact of the IP system on economic development. This would assist in the formulation of IP laws, policies and strategies that were adapted to national conditions and conducive to economic development in the respective countries. China participated in Phase I of the project and looked forward to the successful completion of Phase II. The Delegation welcomed the mainstreaming of further work on economic studies into the activities of Program 16 and supported the extension of the project.

66. The Chair enquired as to whether the Committee could approve the request by the Secretariat for a six-month extension to complete the implementation of Phase II. It was approved given that there were no objections from the floor. The Chair then requested the Secretariat to respond to the questions and comments from the floor.

67. The Secretariat (Mr. Fink) referred to the question posed by the Delegation of the Islamic Republic of Iran on the expansion of the project in Phase II. The project had evolved in two dimensions. First, some countries and regions that were not covered in Phase I were included in Phase II. Although many countries expressed an interest to participate in the project, the Secretariat could only accommodate a few as resources were limited. The portfolio of beneficiary countries reflected a diversification from the set of countries in Phase I. It was

balanced in terms of regional or geographical coverage. Second, the topics covered in Phase II were not included in Phase I; for example the study in the ASEAN region on the use of industrial design system. This involved an ambitious survey of industrial design applicants. Many developing countries used the industrial design system. However, there was limited understanding on the contribution of the system to industries that used the system and to economic development in general. There was also the study in Poland on the health sector and the study in Uganda on the agro-food industries. There was a new approach to the studies. They focused on the contribution of the IP system in a particular economic sector and its role within the broader innovation ecosystem in a particular country in respect of that sector. The study on IP and innovation in the mining sector sought to gather empirical evidence on the main global patterns of the mining sector in terms of innovation and use of IP. This was part of the follow-up to the work conducted in Chile and Brazil in Phase I.

68. The Secretariat (Ms. Zehtabchi) referred to the study on the health sector in Poland. It sought to explore the role of the IP system on innovation in that sector. It mainly focused on the role of patents in the pharmaceutical industry, biomedical instruments and robotics. It included quantitative and qualitative aspects. The former involved analyzing data in patent applications. The latter focused on interviews with actors in the sector. The interview process was completed. Trademarks were mentioned in the interviews, in particular, the importance of branding in this sector. The study would be completed and presented to the CDIP next year.

69. The Delegation of Turkey stated that the studies produced in Phase I had been distributed to relevant parties in Turkey to the extent possible. The detailed and comprehensive studies were well received by academics in Turkey. Meanwhile, the Turkish Patent and Trademark Office had initiated a study on economics and IP matters to capture the interest of relevant academics in Turkey. The study was prepared by two patent examiners with economic backgrounds. It only covered the literature on the subject and included recommendations on what could be done to promote the issue in Turkey. The Delegation looked forward to the outcomes of Phase II. The country studies for Chile, Brazil, Colombia, Central America and the Dominican Republic, Poland, Uganda and some ASEAN countries covered different topics. These would further contribute to the subject of IP and socio-economic development. The Delegation also noted that further economic study work would be mainstreamed into the activities of Program 16 in the approved Program and Budget for the next biennium.

70. The Chair closed the discussion on the project given that there were no further observations from the floor. The Committee took note of the progress achieved in the implementation of the project. The Chair invited the Secretariat to introduce the progress report for the project on Capacity-Building in the Use of Appropriate Technology Specific Technical and Scientific Information as a Solution for Identified Development Challenges – Phase II.

71. The Secretariat (Mr. Shenkoru) introduced the report. Significant progress had been made in the three beneficiary countries, namely, Ethiopia, Rwanda and Tanzania. The project was in the last phase of implementation. This involved the preparation of business plans for implementing the appropriate technologies identified by the national expert groups to address the needs of the three LDCs. In Tanzania, these included the processing of seaweed to extract carrageenan and fish breeding technology. In Rwanda, these included solar water distillation technology and fish breeding technology. These would result in enhanced and affordable access to clean drinking water for household communities and increased fish production which would contribute to national food security and income. Ethiopia identified the need for solar coffee dryer technology to prevent post-harvest losses and improve the quality of coffee, and fish breeding technology to alleviate domestic food security concerns and create employment as well as export opportunities. The preparation of key project output documents and the identification of the most appropriate technologies for the two priority needs areas for each

country had been completed. The preparation of business plans for implementing the selected appropriate technologies was underway.

72. The Delegation of Ethiopia took note of the progress made in the project. Ethiopia was one of the countries selected to participate in the project. The needs assessment and prioritization process were conducted through a participatory and consultative process. The ground had been laid for implementing the identified technologies. These included solar coffee dryer technology to prevent post-harvest losses and improve the quality of coffee, and fish breeding technology. The issue was raised by the Minister of Science and Technology in his discussion with the Director General during his visit to WIPO in September. He requested WIPO to strengthen its cooperation on technical assistance, including by scaling up its support for mega projects to enable Ethiopia to achieve its structural transformation agenda.

73. The Delegation of Benin reiterated the importance of technology transfer for developing, in particular, the LDCs. The areas covered in the project were of vital importance for the LDCs. They concerned food security, health and agriculture. The Delegation would like the project to be extended to other countries in order for its impact to be enhanced.

74. The Delegation of Sudan supported the project and expressed its country's interest to benefit from the project in the future.

75. The Chair invited the Secretariat to respond to the questions and comments from the floor.

76. The Secretariat (Mr. Shenkoru) stated that the project was approaching the end of its second phase. It had to go through the usual evaluation process and the final report would be submitted to the Committee sometime in the future. Some countries had expressed an interest in benefitting from the project in the future. This could be discussed after the conclusion of Phase II.

77. The Chair closed the discussion on the project given that there were no further observations from the floor. The Committee took note of the progress achieved in the implementation of the project. The Chair invited the Secretariat to introduce the report for the project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II.

78. The Secretariat (Ms. Croella) introduced the report. The project was halfway through the implementation schedule. It was intended to encourage creators and right holders to better understand IP rights. Burkina Faso, Kenya, Senegal, Cote d'Ivoire and Morocco were participating in the project. In the period under review, the activities concentrated on training and capacity building; supporting institutional and regulatory frameworks; and the development of distance learning. On training, several activities were successfully carried out. The training provided in Kenya focused specifically on the impact of the digital market on production and distribution. Participants worked on real-life case scenarios to develop financing plans, drafting contracts and rights licensing schemes with digital platforms, distribution agreements, and performer's rights agreements. The activity in Burkina Faso attracted representatives from the banking and financial community who exchanged information on various international funding schemes for the audiovisual sector. They expressed an interest in additional training on film financing. Currently, traditional funding sources, mainly public, were insufficient to meet the rapidly expanding needs. This was critical for the success of an indigenous audiovisual industry. Activities were also carried out to support regulatory frameworks. Legislative advice was provided to Senegal on the Communications and Press Bill which was applicable to the audiovisual sector. Experts cooperated with the authorities in Senegal to ensure that the policy framework for the audiovisual sector was fit for digital age requirements and in line with

international standards and the 2008 copyright law. Cote d'Ivoire hosted a high level meeting organized for broadcasting and communication regulators. This was the first exposure to copyright for these stakeholders who currently play a significant role in monitoring the operations of broadcasting organizations. Audiovisual right holders had to a large extent been unable to license broadcasters for the broadcasting of their content. This excluded an important source of revenue for authors and producers who invested in content production and the possibility of negotiating presale funding of new works with broadcasters. Support for rights management was covered through various training activities in the countries that had requested for such activities. A feasibility study was commissioned to identify existing sources of information, assess market needs and propose a sustained approach towards data collection in the audiovisual industry. Such economic data was indispensable to monitor market developments and develop appropriate policy frameworks for the sector. The next steps to complete the delivery strategy for the five selected beneficiary countries included copyright training for professionals, lawyers, and regulators, particularly on contractual drafting and obligations; training on film financing; support for rights management frameworks, particularly in relation to challenges linked to the digital licensing of audiovisual content on new platforms; and completion of the distance learning project. The project had to adapt to some external factors linked to the accelerated switch to a digital television network which generates new needs in each country, and local political and security developments which could slow down or stunt the proper execution of the project. The project was being implemented in accordance with the project document timeline and approved budget.

79. The Delegation of Senegal highlighted some aspects of the implementation of the project in Senegal. Legislative advice was provided to Senegal on the Communications and Press Bill which was applicable to the audiovisual sector. Experts cooperated with the authorities to ensure that the policy framework for the audiovisual sector was fit for digital age requirements and in line with international standards and the 2008 copyright law. A high-level consultation took place to discuss the proposed amendments to the text. Some input was also provided by experts from Morocco. The Bill that was adopted by the Parliament included most of the recommended amendments. A training workshop was organized in cooperation with the University of Saint Louis which hosted the only animation industry Master's degree program in the region. This was an effort to reach out to untapped categories of professionals outside of the capital. Further cooperation with the university was under discussion. The Prosecutor General of Senegal supported the project and requested copyright training for prosecutors involved in an increasing number of audiovisual cases. This indicated that awareness of IP was growing in Senegal. Training was provided in the area of audiovisual rights and performers rights to the new CMO in Senegal. The training was undertaken through cooperation with the European Association of Performers Rights (AEPO). Following an expert mission, a work plan on policies for public funding for the audiovisual sector will be elaborated, based on the quality studies used under Phase I of the same project. Senegal also participated in the training workshop on funding organized by Burkina Faso during the FESPACO Film Festival. Senegal also took part in meetings held in Cote d'Ivoire and the General Assembly of the African Broadcasting Union. Thus, the project has produced results. It was assisting stakeholders in the audiovisual value chain to face challenges in a digital environment.

80. The Delegation of Jamaica hoped the project would lead to some best practices that could be replicated in its country and region. It referred to the law that was adopted in Senegal and hoped there would be an opportunity to examine the law as some aspects may be useful for Jamaica. The financing of the audiovisual sector was an issue for Jamaica and its region. The Delegation noted that the WIPO Academy was developing a course for film makers. It hoped that the course would also be made available to other countries in English.

81. The Delegation of Benin noted that the audiovisual sector was booming in certain countries. In Africa, particularly in West Africa, the sector was rapidly growing in countries such

as Nigeria, which had a long border with Benin. Benin was very interested in this subject. It welcomed the efforts made under the project and the results achieved. It hoped to benefit from the project in the near future.

82. The Delegation of Estonia, speaking on behalf of the EU and its member states, acknowledged the importance of the project for the emerging African digital market and noted the demand for the use of IP to support the professionalization of the African audiovisual sector. As the project had established, there was growing demand for training activities and the number of requests for participation exceeded the resources that were available. The EU and its member states noted the need for complementary activities to ensure that the industry developed a good understanding of copyright and the use of contracts.

83. The Chair invited the Secretariat to respond to the observations from the floor.

84. The Secretariat (Ms. Croella) referred to the comment made by the Delegation of Jamaica on the course for film makers. The distance learning course on copyright for filmmakers was being finalized. This would be a lasting component of the project. As mentioned, it was not possible to accommodate all the requests for participation in the project. The distance learning course could be used to train filmmakers in all developing countries. The Secretariat referred to the interest expressed by the Delegation of Benin in the project. It was currently not possible to include other countries in the project. However, it was hoped that the training material being developed would benefit all countries. The growing demand for training activities and the number of participation requests exceeded available resources. The mitigation response was to carry out priority projects and ensure targeted cross-country participation to facilitate exchange of experiences and develop local synergies.

85. The Chair closed the discussions on the project given that there were no further observations from the floor. The Committee took note of the progress achieved in the implementation of the project.

86. The Chair invited the Secretariat to introduce the report for the Project on the Use of Information in the Public Domain for Economic Development.

87. The Secretariat (Mr. Roca Campaña) introduced the report. The project was approved by the CDIP in 2015. This was the second progress report. The project aimed to supplement the existing TISC services by adding new services and tools to those currently provided, allowing them to not only identify inventions in the public domain but also to support inventors, researchers and entrepreneurs in using the information to generate new research outputs and products and thereby contributing to a more effective exploitation and use of inventions in the public domain. In line with the project's delivery strategy and the development, in particular, of two practical guides on the identification and use of inventions in the public domain, two lead subject matter experts were hired to prepare the guides and develop associated training materials. In addition to the two lead experts responsible for the overall development of the guides, five associate subject matter experts were engaged to draft specific inputs on selected topics to be included in the guides. The guides had been drafted. According to the delivery strategy, it was foreseen in the second stage that selected TISCs across various national TISC networks would pilot the draft guides on identifying and using inventions in the public domain to ensure that the guides were adapted to the needs of TISC staff and their users in developing countries. The guides were being piloted in Kenya, South Africa, Morocco, Malaysia, the Philippines, Colombia, Cuba and the Russian Federation. National experts were identified in each country. To launch the pilot process, a meeting of experts was organized to discuss the content of the two guides with the lead subject matter experts and to develop and harmonize, in particular, effective approaches to the pilot process in each region. The lead subject matter experts responsible for developing the guides would revise and fine-tune the guides based on

the feedback gathered during the pilot phase, and would prepare training materials to be used in connection with the guides for future technical assistance activities foreseen under the project and beyond. The second main output under the project was improvement of the legal status portal (Patent Register Portal). Further to a detailed needs and gap analysis by an external digital communication expert (including a survey sent to patent information user groups to gather feedback from users and suggestions for improvement, and internal discussions with stakeholders involved in the development of the Portal), a number of recommendations were made to make the Portal more user-friendly and adapted to users' needs. Technical solutions were explored as a result of this analysis, taking into account in particular the need to develop a more user-friendly and interactive map, and the need to offer users advanced search functionalities. Following internal consultations and consultations with a variety of stakeholders such as the UN Geospatial Information Section (UNGIS) on the use of official UN international boundary data for the development of a new map, a cost-effective solution was identified to develop a new interface which would include advanced search functionalities, enhanced content, and a new interactive map. In addition to the work undertaken with regard to the development and design of the new interface, an expert was hired to review the existing legal status information on the Portal, update information, and complete the existing information available on the Portal with additional data for new jurisdictions. In addition to this exercise, internal consultations were also held to identify links between the Patent Register Portal and the work undertaken by the Committee on WIPO Standards in relation to the exchange of legal status data and in particular the development of new standards on legal status information, to ensure that any relevant information would be taken into account in the design of the new Portal. As indicated in the report, the implementation of the project was proceeding according to its schedule.

88. The Delegation of Estonia, speaking on behalf of the EU and its member states, observed that a risk was established that there may be insufficient capacity by TISC staff to understand and effectively use the information contained in the practical guides on the identification and use of inventions in the public domain. This issue must be treated seriously. The core experts should offer adequate support to relevant staff in this regard. In other aspects, the EU and its Member States hoped the project would proceed in 2017 and 2018 as per the implementation timeline.

89. The Delegation of China noted that the project aimed to expand TISC services and improve the capacity of inventors in developing countries to use technical information in the public domain for further innovative activities. The Delegation welcomed the translation of the practical guides on the identification and use of inventions in the public domain into the six official languages. The Delegation hoped the achievements of the project would be disseminated to all TISC networks, including those to be established in the future.

90. The Delegation of Paraguay enquired as to whether there were any plans to disseminate the outputs of the project to all TISC networks. A TISC network was recently established in Paraguay.

91. The Delegation of the Russian Federation believed the project was very useful. Russian experts were participating in this project. The Russian Federation had one of the largest TISC networks. It had more than 160 TISCs. The network continued to grow and develop. Its functions were increasing. The Russian Federation was prepared to share its experience with all interested countries.

92. The Delegation of Senegal, speaking on behalf of the African Group, welcomed the project. The project was very important and useful for developing countries and LDCs to use information in the public domain. TISCs were important. The Group encouraged the Secretariat to strengthen its support for TISCs, including those in Africa.

93. The Chair invited the Secretariat to respond to the observations from the floor.

94. The Secretariat (Mr. Roca Campaña) referred to the observation made by the Delegation of Estonia on behalf of the EU and its member states. One of the risks outlined in the project document was insufficient capacity by TISC staff to understand and effectively use the information contained in the practical guides. To mitigate this risk, the guides would be adapted to the assessed capabilities of TISC staff, and a roster of core experts would be established to offer interactive support on issues dealt with by the guides. The roster would include the country experts that were identified in all the regions to validate and pilot test the guides. They would participate in the development of skills related to the use, implementation and application of the guides. The Secretariat referred to the questions posed by the delegations of China and Paraguay on the dissemination of outputs to all TISCs. As described in the delivery strategy for the project, work would be carried out in 2018 on the dissemination of the guides and the development of capabilities and skills in existing TISC networks on the use and application of the guides. In addition, the guides would be translated into the six UN official languages to facilitate their use by all TISC networks.

95. The Chair closed the discussion on the progress report given that there were no further observations from the floor. The Committee took note of the report.

96. The Chair invited the Secretariat to introduce the progress report for the project on Cooperation on Development and IP Rights Education and Professional Training with Judicial Training Institutions in Developing and Least Developed Countries.

97. The Secretariat (Mr. Bradley) introduced the report. The WIPO Academy continued to implement the project in coordination with the four pilot countries, namely, Costa Rica, Lebanon, Nepal and Nigeria. Direct and continuous channels of communication were established with judicial training institutions and other respective national authorities in the pilot countries. A detailed needs assessment questionnaire was sent to the national focal points in each of the pilot countries. Detailed responses were received, in which areas of training and preferred methods for providing training were identified. The needs-assessment missions that were organized in each beneficiary country offered opportunities to further discuss project objectives and outcomes with the relevant national authorities, identify national priorities and needs, and agree on roadmaps, work plans and implementation modalities. Cooperation agreements were signed with the pilot countries. National project consultants were designated by the respective national authorities. They were selected based on their expertise, experience and familiarity with the national judicial environment and proceedings. Generic distance learning courses were being prepared. The courses would be customized for each of the pilot countries to reflect national priorities. The national project consultants would oversee the customization of the generic training course to the respective national context and needs. They would also monitor the 'train the trainer' program and provide advice on its development. Substantively, the WIPO Academy was using its training material, particularly from the distance learning courses, for the development of cohesive and practical training content for the judiciary. In July, a panel of renowned judges, representing different regions, was selected to participate in this endeavor in coordination with the Academy and relevant WIPO sectors. The next steps for implementing the project included finalizing the generic distance learning course for the judiciary; customizing the course to the national needs, priorities and judicial contexts of each of the pilot countries; developing a 'train the trainer' program for each pilot country; organizing pilot training sessions in coordination with the respective judicial training institutions; establishing virtual forums and networks for the judiciary; providing appropriate learning materials; and launching the mapping exercise with a view to compiling a database with relevant information on the existing judicial training institutions worldwide that offer training in IPRs for the judiciary. The Secretariat had received a large number of requests from other countries to be involved or to be able to benefit

in some way from the outcomes of the project. It would look into how those requests could be accommodated following the completion of the project. The possible mainstreaming of the project into the WIPO Program and Budget was an option in this regard.

98. The Delegation of Estonia, speaking on behalf of the EU and its member states, highlighted that effective IPR education and training programs for judges were activities which they highly valued. Judges who were knowledgeable and experienced in various IP matters were an essential pre-requisite for a sustainable IP system that balanced both public and private interests. In addition to the four pilot countries, the WIPO Academy had received requests for assistance on judicial training from other countries. These requests should not be overlooked. Although a generic distance learning course may be of benefit to all of them, assistance schemes should be tailor made to fit the needs of each individual country. In that regard, it must also be borne in mind that in some countries, the internet was slow or even absent. Although publishing the judges' IP toolkit on paper was an option, it was also worth considering whether the materials could be circulated via USB or other such means. While the project had faced some delays, they were glad to learn that the initial deadline of July 2018 for its conclusion still appeared reachable.

99. The Delegation of Georgia, speaking on behalf of CEBS, highly valued all initiatives concerning IP education, including this project. The project could contribute to a more effective and sustainable IP system. Such undertakings would lead to the development of a powerful IP system worldwide.

100. The Delegation of Senegal, speaking on behalf of the African Group, referred to its statement on the report for the project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries. The Group reiterated the need for judicial training to be provided and enquired as to whether these two projects could be linked in this regard.

101. The Chair invited the Secretariat to respond to the questions and comments from the floor.

102. The Secretariat (Mr. Bradley) referred to the comments made by the Delegation of Estonia on behalf of the EU and its member states. It fully agreed on the importance of tailoring and customizing the generic distance learning course to each country's specific context and requirements. That would be the next phase with each pilot country. The Secretariat was aware of the risk of internet connectivity being a problem in terms of online delivery. This was one of the risks that were included in the project document. The Secretariat took note of the suggestions to mitigate that particular risk. The Secretariat referred to the question raised by the Delegation of Senegal on behalf of the African Group on linking the judicial training activities with those under the project for Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries. It would look into whether there could be synergies in this regard.

103. The Chair closed the discussion on the progress report given that there were no further observations from the floor. The Committee took note of the progress achieved in the implementation of the project.

104. The Chair invited the Secretariat to introduce the progress report for the period from July 2016 to June 2017, on recommendations for immediate implementation (the 19 Recommendations).

105. The Secretariat (Mr. Baloch) introduced the report contained in the second part of document CDIP/20/2 on Progress Reports. The first part of the document was on the DA

projects. The second part was on the 19 recommendations. When the project-based methodology was adopted, the Committee had identified 19 recommendations which did not require human or financial resources for their implementation. A large number of them were basically principles that the Organization had been tasked to implement. This part of the document contained a table with two columns, "implementation strategies" and "achievements". The implementation strategies had been decided by the CDIP. Secretariat was requested to provide details with regard to the achievements. As agreed by the CDIP, the report focused on the strategies adopted to implement each recommendation and highlighted the main achievements. The list of activities with other related information was contained in the Technical Assistance Databases (IP-TAD).

106. There were no observations from the floor. The Committee took note of the report.

AGENDA ITEM 7: CONSIDERATION OF WORK PROGRAM FOR IMPLEMENTATION OF ADOPTED RECOMMENDATIONS

Implementation of the Recommendations of the Independent Review (documents CDIP/18/7 and CDIP/19/3)

107. The Chair noted that this item had been on the agenda for some time. It was discussed at the last session. He recalled that there were 12 recommendations. The Committee had agreed to adopt eight recommendations. It decided to postpone the discussion on recommendations 5 and 11 to this session. Recommendations 1 and 2 were provisionally adopted on the understanding that they would be addressed at this session. These recommendations were linked to the decision adopted at the last session on a standing agenda item on IP and Development. The Chair requested the Committee to turn to Recommendation 11 and invited the Secretariat to provide an introduction.

108. The Secretariat (Mr. Baloch) referred to page 10 of document CDIP/19/3. The document was presented by the Secretariat in the previous session. It attributed Recommendation 11 to Member States and the Secretariat. Recommendation 11 was as follows, "A mechanism should be put in place to report on the agreed recommendations contained in the evaluation reports and on the mainstreamed outcomes of the DA projects. The mainstreaming process should be aligned to the approved Expected Results". Each DA project was evaluated by an external evaluator. The report was submitted to the Committee. In some cases, discussions took place on specific recommendations where the Secretariat had clear guidance as to what should be done. In some other cases, there were no decisions or discussions. Hence, the Secretariat implemented the recommendations which it believed were feasible to implement. The DA Coordination Division coordinated with other WIPO sectors to follow up on those discussions. The second part of the recommendation was somewhat linked to Recommendation 5. The Program and Budget document identified the DA recommendations that were related to a particular program. The expected results were implicitly and explicitly connected with relevant DA recommendations. When a project was completed and mainstreamed, the program reflected in its Program and Budget submission as to what it would be doing in the follow-up of that mainstreamed activity. Consequently, this was also connected to the expected result.

109. The Delegation of Estonia, speaking on behalf of the EU and the member states, welcomed the adoption of Recommendations 3, 4, 6, 7, 8, 9, 10, and 12 at CDIP/19. They referred to the recommendations and the discussions which were postponed to CDIP/20 and made the following comments. Recommendation 5 considered linking DARs to the expected results contained in the Program and Budget. They agreed with the Secretariat that on the basis of the existing Program and Budget, Program Performance Report and the revised Medium Term Strategic Plan, WIPO already had the necessary tools for monitoring the

integration of the DARs into its work. Recommendation 11 foresaw the establishment of the mechanism to report on the agreed DARs contained in the evaluation reports and on the mainstreamed outcomes of the DA projects. They agreed with the Secretariat that the results-based management approach currently in place satisfied the intent behind the recommendations. They also agreed with the comment made by Group B that the practice of systematically approving each evaluation recommendation in discussing evaluation reports may be unduly burdensome.

110. The Delegation of Switzerland, speaking on behalf of Group B, welcomed the progress made during CDIP/19 with respect to the Independent Review. It hoped the Committee could continue working in this direction and complete the discussion of this document in this session. The Group would make specific statements on each of the recommendations in due course. Its overall position was as follows. Recommendations 1 and 2 had been addressed. In line with comments made by the Secretariat, the Group believed Recommendations 5 and 11 were implemented in practice, in line with the intentions of the recommendations. Therefore, it did not support amending the current working practice. With regard to reporting on the follow-up to the recommendations, the Group believed that the DG's Report on the implementation of the DA provided the right mechanism for reviewing and discussing these recommendations. Therefore, it was satisfied that measures were now in place that effectively addressed all the recommendations and the intent behind them. The Group then referred to the first part of Recommendation 11 in relation to project evaluation reports. The Group continued to support the Committee's established and useful practice whereby Member States provided their views with respect to the evaluation outcomes and allowed the Secretariat to decide on the best and most practical way to take the outcomes and recommendations into consideration. The Committee did not approve evaluation recommendations one by one. Discussing and approving evaluation recommendations one by one would lead to prolonged and inefficient discussions. This would complicate and/or impede the work of the Committee. It would also delay any possible improvements as Member States may not agree on the exact wording of the recommendations. Therefore, the Group did not support adopting the first part of this recommendation, given that it would make implementation of evaluation outcomes unduly burdensome and this would be counterproductive. On the second part of Recommendation 11, the Group highlighted that in the context of the results-based management system, all the work of the Organization was linked to the organizational expected results. This implied that the DA projects which had been mainstreamed into the regular work of the Organization were automatically linked to the same results to which the original DA project contributed. The Group supported this approach, given that it ensured consistency and coherence in the planning approach. The current practice entirely satisfied the intent behind the second part of Recommendation 11, as pointed out by the Secretariat in document CDIP/19/3. Therefore, the Group considered the second part of Recommendation 11 to be implemented and did not support its adoption.

111. The Delegation of the Islamic Republic of Iran stated that the recommendations of the Independent Review team were positive. They formed a constructive basis for Member States and the Secretariat to engage in discussion and action to improve the performance of WIPO's work on DA implementation in its overall goal to continuously improve the Organization's work in all areas. The adoption of most of the recommendations proved that there was common understanding concerning their importance, practicality and consistency with the expectations of Member States and other beneficiaries. The Delegation was ready to continue discussion on recommendations that were still not adopted, namely, Recommendations 5 and 11. The Delegation highlighted the importance of the Secretariat's annual reports on progress concerning the adopted recommendations that were addressed to it. The modalities and implementation strategies of the recommendations and the defining, reporting and reviewing process were important elements in the implementation of DARs. The Delegation looked forward to the discussion on this important issue which could ensure effective coordination,

monitoring, reporting and evaluation of the implementation of DARs. On Recommendation 11, the Delegation supported its adoption in the current session. The Delegation was ready to discuss it informally in accordance with the practice in the last CDIP session for the adoption of other recommendations if there was no agreement or consensus for its adoption in the plenary.

112. The Delegation of Senegal, speaking on behalf of the African Group, welcomed progress made in the adoption of the recommendations of the Independent Review. Most of them had been approved. The Group referred to Recommendation 5 which stated that WIPO should consider linking DARs to the expected results contained in the Program and Budget, wherever possible. This was very relevant. The language allowed for flexibility in the implementation of the recommendation. Recommendation 11 called for the establishment of a mechanism to report on the agreed recommendations contained in the evaluation reports and on the mainstreamed outcomes of the DA projects. The mainstreaming process should be aligned to the approved expected results. The Group supported the adoption of Recommendations 5 and 11.

113. The Delegation of Georgia, speaking on behalf of CEBS, welcomed the adoption of recommendations at CDIP/19 and looked forward to discuss the remaining recommendations.

114. The Chair noted that the positions expressed by delegations had not changed. He invited the Secretariat to provide further clarification on Recommendation 5 and the second part of Recommendation 11 that were related to budgetary matters.

115. The Secretariat (Ms. Bachner) referred to Recommendation 5. Since the 2010/11 biennium, the Program and Budget provided clear indications on which DA recommendations would guide the work of WIPO programs. In the Program and Budget for 2018/19, the guidance was made even more prominent. The guidance was illustrated with clear diagrams for each program in the Program and Budget. They highlighted and indicated the DA recommendation or recommendations that guide the work of each specific program. In alignment with the results-based management approach, each program contributed to one or more of the organizational expected results. The organizational results framework was reviewed by Member States in every biennium in the context of the preparation of the Program and Budget. Changes had been made from biennium to biennium in the formulation of the expected results to better reflect the spirit of the DARs. Thus, there was a clear linkage in the Program and Budget between the DARs and the results framework of the Organization. The above was done at the planning stage. The Secretariat did not only plan, it also implemented. An assessment was carried out at the end of each period and reported to the Member States. This was done in the context of the Program Performance Report. The reporting on the implementation of DARs in the work of each program had been considerably strengthened. It was now a standard way to report on performance in every year and biennium. Thus, there was already a linkage between the DARs and the results. The DARs were taken into account in planning, implementation and reporting. This was also underpinned by the ERP system. Nothing could be undertaken if it was not linked to an expected result. The system was designed to ensure that the results-based management principles were implemented on a daily basis when implementation began. The Secretariat referred to Recommendation 11. In addition to the above, the Secretariat reiterated that when a DA project was completed and mainstreamed into the work of the Organization, that work was linked to the same expected result for the project.

116. The Chair requested the Secretariat to provide clarification on whether the recommendations should be maintained or improved to take into account what the Secretariat was already doing.

117. The Secretariat (Ms. Bachner) referred to document CDIP/19/3. With regard to Recommendation 5 and 11, the Secretariat believed the approach that was currently in place satisfied the intent of the recommendations. In the PBC's discussions on the Program and

Budget earlier this year, several of the diagrams proposed by the Secretariat were amended by Member States to ensure that the recommendations were fully taken into account. Thus, these recommendations were already being implemented. The Secretariat would continue to make enhancements based on feedback provided by Member States. Suggestions for improvement would be taken into account. The diagrams in the Program and Budget for 2018/19 were in response to inputs from Member States. In concluding, the Secretariat reiterated that both the recommendations were being implemented and it would continue to do further enhancements, if required by Member States.

118. The Delegation of the Islamic Republic of Iran recalled that it was agreed in the last session that the current session would continue discussion on the modalities for the implementation of the adopted recommendations. The Delegation would like to know how the Committee would proceed on these specific issues.

119. The Delegation of Brazil referred to Recommendation 5, "WIPO should consider linking DARs to Expected Results contained in the Program and Budget, wherever it is possible. Expected Results may be modified or new Expected Results may be introduced so as to ensure the integration of DARs into WIPO's work more effectively and in a sustained manner". The Delegation understood that the Secretariat considered the recommendation as already being implemented. The Delegation would like to know if its understanding was correct. If so, it should not be a problem for Member States to approve the recommendation.

120. The Delegation of the United States of America believed it was time to make a decision on this recommendation. As the recommendation had already been addressed, there was no need to adopt it formally. It just did not make sense to do so. The Committee should note that the recommendation had been addressed, as outlined by the Secretariat in document CDIP/19/3, and encourage the Secretariat to improve the existing practices or something along those lines.

121. The Chair invited the Secretariat to react to the observations from the floor.

122. The Secretariat (Ms. Bachner) referred to the question from the Delegation of Brazil and reiterated that it considered the recommendation had been implemented. However, improvements would continue to be made based on inputs provided by Member States. Changes had been made. For example, Member States had provided feedback on making the guidance of the DARs more prominent in the planning process. This was addressed in the Program and the Budget for 2018/19 which was approved.

123. The Chair took note of the Secretariat's clarifications. The Committee could take note of Recommendations 5 and 11, and encourage the Secretariat to continue its current practice. The Secretariat could prepare a draft text for discussion tomorrow taking into account the views expressed by delegations. The Chair suspended the discussion on this item.

AGENDA ITEM 8: IP AND DEVELOPMENT

124. The Chair opened the discussion on IP and development.

125. The Delegation of Brazil recalled that in the last session, Member States had reached consensus on a permanent agenda item entitled, "IP and Development", to help fulfill the full mandate of the CDIP. The inclusion of this standing item would facilitate the implementation of the third pillar of the Committee's mandate. It would provide greater transparency to the discussions in the Committee and help to initiate a more focused, balanced, and result-oriented debate on this subject to the benefit of all Member States. IP and development related issues were the work of Committee. Enhancing the integration of the development dimension into

WIPO's activities would strengthen the credibility of the IP system and encourage its wider acceptance as an important tool for the promotion of innovation, creativity and development. This objective would not be achieved overnight. As highlighted by the independent review of the implementation of the 45 DARs, "incorporating development considerations as an integral part of the Organization's work was a priority. From this perspective, development is a long-term process with failures and successes and IP is one among many factors that influence development." Therefore, it was important to manage expectations and focus on bringing development to the center of discussions in WIPO for the benefit of all Member States and to meet the Organization's core mission "to lead the development of a balanced and effective international IP system that enables innovation and creativity to the benefit of all." All Member States could and should participate in a concerted effort to provide inputs and ideas to make this agenda item a substantive working component of the CDIP's activities. In that context, the Delegation had decided to present a proposal containing suggestions on topics and a modality to implement a work plan for this item. The suggestions were underpinned by two complementary perspectives on IP and development. They were both important and should guide the Committee's work. One was the use of IP for development, focusing on the role of IPRs for economic development. The other was development-oriented IP that shed light on the range of available mechanisms in the international system to ensure that IP, while contributing to the promotion of technological innovation and to the transfer and dissemination of technology was supportive of public policy objectives. These perspectives were implicitly embodied in the recommendations contained in the report of the Independent Review. As mentioned in the report, "the good progress made in the CDIP needs to be consolidated by introducing a higher level debate to address emerging needs and to discuss the work of the Organization on new emerging issues related to IPRs". The CDIP was the most appropriate forum for Member States to exchange ideas and experiences with a view to building a more inclusive, balanced and development-oriented IP system for the benefit of all sectors of society. The Delegation had put together a few topics for consideration by the Committee. The first topic was innovation and the proper role of IP. At the last GA, the Director General stated the following; "the first of those challenges is innovation which lies at the heart of the mission of IP. Innovation has become a central element of economic and industrial strategies of a wide spectrum of countries not just for the most advanced technologically but also to middle income and other countries seeking to transform economies to a more sustainable basis of value additions." The relationship between IPRs, innovation and economic development was extremely complex. The state-of-the-art literature on this topic highlighted that the positive correlation usually observed in this relationship was context based and hinged on other variables such as level of development, institutional base and sound policies. The objective of this topic was to explore the multiple dimensions of the relationship between IPRs and innovation in order to better understand the circumstances in which a well-designed IP system was a contributing factor to innovation and creativity in general. There were two sub-topics related to this one. One was technological changes in the IP system. In recent decades, the pace and scale of technological changes had accelerated, making new technologies, particularly ICT, obsolete after four or five years. This was the time usually taken to grant patents. The idea of this topic was to assess what new mechanisms were necessary to address this new world of technology and business models that highlighted cooperation more than exclusion. There was another sub-topic concerning the links between IP, R&D, foreign direct investment and economic growth. The second main topic was IP policies and other regulatory regimes. As stated in Article 7 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), "the protection and enforcement of IPRs 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". The idea was to analyze IP policy in conjunction with other regulatory regimes. Many related topics were described in this regard. First, IP and competition policies. This topic aimed to enhance understanding on IP and competition policies in order to assess the relationship between measures that protected and enforced IP rights, and policies

that prevented right holders from abusing their rights by unreasonably restraining competition and innovation. Second, the role of the judiciary in framing IP and competition policies. Other suggestions included IP and health policies, IP and human rights, and IP and investment regimes. The third main topic was IP strategies in developing countries. The objective was to explore lessons learned from the implementation of successful IP strategies in developing countries. There were many successful examples such as Korea, China and India. The fourth main topic was policy space in a world of TRIPS plus. The objective was to assess the increasingly complex and detailed IP obligations in major free trade agreements (FTAs) with a view to making an objective assessment of the use of existing mechanisms, bearing in mind WIPO's core mission "to lead the development of a balanced and effective international IP system that enables innovation and creativity to the benefit of all." A related topic was the experiences of developing countries in negotiating and implementing FTAs with IP provisions. The last main topic was the sharing of findings and work related to IP and development. WIPO conducted work related to IP and development in different sectors. Thus, it may be useful for the work of other divisions to be discussed under this new agenda item. This could also be extended to the work of other UN bodies and the WTO in relation to IP and development. The Delegation proposed a modality for implementing a work program on this new agenda item. According to the report of the Independent Review, "the CDIP, in implementing the DARs, should consider how best to respond to evolving circumstances and to the emerging development challenges being faced by the IP system. This should be combined with an active involvement with other UN development agencies to benefit from their expertise for the DARs implementation and in advancing the implementation of the SDGs". The report also stated the following, "the Committee should also facilitate an exchange of strategies and best practices from Member States on their experiences addressing IP and development concerns". In this context, the Delegation proposed a modality for implementing the work program. When Member States agreed to select a topic, a relevant expert from a UN body or the WTO could be invited to make a presentation. A workshop could be held for Member States to share experiences. Only one topic should be discussed per session. A full day should be devoted for this purpose based on the aforementioned approach.

126. The Delegation of Switzerland, speaking on behalf of Group B, made suggestions on the way forward to provide a substantive contribution under this new agenda item. The Group highlighted that promoting innovation played a crucial role in achieving the SDGs. Indeed, innovation was reflected in a number of SDG targets, particularly under SDG 9 - Industry, Innovation and Infrastructure. Adequate protection of IP played an important role in promoting innovation. Through setting the right incentives, IP contributed to innovation, long-term economic growth, and enhanced environmental and social sustainability. Innovation flourished if inventors and creators were able to commercialize their inventions and creations. The protection of IP encouraged investors to provide the necessary funding for developing new products and technologies, thus contributing to fostering innovation. New technologies, in turn, had an important potential to make production processes more efficient and environmentally sustainable. Thus, IP could clearly help Member States to achieve sustained development. Although IP was only one among a number of factors in innovation and technological development, it represented opportunities that should be seized. To start with a better understanding of how IP promoted innovation, and thus, contributed to sustained development, the Secretariat could organize a sharing session on IP and innovation in the next session of the CDIP. The sharing session should enable Member States to share information on national innovation strategies and to discuss the role IP protection played in fostering innovation. The discussion should facilitate a better understanding of the topic at hand and provide Member States with an opportunity to identify gaps and needs in terms of IP-related aspects of innovation. The Group would make other suggestions under other relevant agenda items.

127. The Delegation of Georgia, speaking on behalf of CEBS, noted the progress achieved in CDIP/19 and the decision of the 57th General Assembly to establish a new agenda item on IP

and development. Knowledge and expertise on the WIPO DA and issues related to IP and development could be concentrated under this agenda item. As there were currently no topics to be addressed under this agenda item, this space could be used to consider the revised proposal by the African Group (CDIP/20/8) and the proposal that was just put forward by Group B. It looked forward to further discussions on this issue.

128. The Delegation of Estonia, speaking on behalf of the EU and its member states, noted that CDIP/19 had approved, and the WIPO General Assembly had decided on the establishment of a new agenda item on IP and development which currently had no substantive content. The presentation by the Delegation of Brazil contained many interesting ideas for a future work plan. The EU and its member states would be ready to discuss and provide further comments once they had familiarized themselves with the full contents of the proposal in writing. They could support Group B's proposal to organize a sharing session on IP and innovation during CDIP/21. This could take the Committee forward in the discussions and could help delegations to better understand how IP protection fostered innovation. The EU and its member states understood that the notion of IP and innovation was also connected with point 1 of the Brazilian proposal, namely, innovation and the proper role of IP. The revised proposal of the African Group (document CDIP/20/8) also dealt with IP and development. A themed discussion on this topic that took into account the content of the proposal could be conducted under this new agenda item. This could be a way to make good use of the time and space allocated without incurring any further travel or accommodation costs. The objective set out in the revised proposal by the African Group seemed to coincide with the new agenda item. The EU and its member states looked forward to fruitful discussions on this new agenda item and to hearing the inputs of other delegations.

129. The Delegation of Senegal, speaking on behalf of the African Group, welcomed the new agenda item on IP and development which was agreed at CDIP/19. It was now possible to examine the subject of IP and development in accordance with the third pillar of the CDIP's mandate. This should highlight the links between IP and development, and support the development of a balanced global IP system. It should also discuss new perspectives, ways to improve mechanisms, national and regional strategies on IP and development, the involvement of stakeholders in IP and development, education and training, tools for accessing technology and so on. The Committee could also look at the notion of balance within the IP system, particularly on the impact of IP rights on socio-economic development. The proposal by the Delegation of Brazil contained many elements that merited the Committee's attention. The Group hoped the Committee would come up with a work plan on IP and development. It looked forward to participating in the discussions.

130. The Delegation of Indonesia, speaking on behalf of the Asia and the Pacific Group, reiterated that the Committee's work was important to its members. The Group continued to support WIPO's mission to lead in the development of a balanced and effective international IP system that enabled innovation and creativity for the benefit of all. The Group took note of the proposals by the Delegation of Brazil, Group B and the African Group. The discussions on this new agenda item on IP and development could and should further strengthen WIPO's mission for a balanced and effective international IP system that benefited all. The Group's members would make interventions during the discussions on this agenda item.

131. The Delegation of the Islamic Republic of Iran welcomed the establishment of this new agenda item. This demonstrated the common understanding among Member States with regard to the implementation of the third pillar of the Committee's mandate. The role of the IP as one of the main pillars of development could not be overemphasized. This agenda item would facilitate the exchange of views, strategies and best practices among Member States in addressing IP and development concerns. Discussion on a future work program for this issue should introduce a higher level of debate to address the needs and priorities of Member States,

in particular LDCs and developing countries. The discussion under this agenda item should be conducted in a way that would address the main concerns of these countries with regard to IP and development. Implementation of the DARs which fell within the framework of this agenda item was an important basis for the consideration of this issue. WIPO's contribution to the development-related work of the UN was an important element that needed to be further explored in future discussions. In this regard, collaboration within WIPO and other international organizations which currently consider the relevance of IP-related matters to their respective mandates was another important element that should be considered. Co-organization of some events with these organizations could benefit discussions in the CDIP. The Delegation recognized that this was the first round of negotiations and discussion on this new agenda item. Not surprisingly, there were divergent views among Member States in this regard. The Delegation was ready to consider all proposals constructively. It considered the proposal by the Delegation of Brazil positively and favorably. It supported the elements included in the proposal. These should be considered in detail in the informal session.

132. The Delegation of the United States of America requested the Delegation of Brazil to provide its proposal in writing for discussion at the next session. That would help the Committee to understand and consider all the details of the proposal.

133. The Delegation of China referred to the progressive implementation of the DARs and further mainstreaming of development into WIPO's work. The Committee was entering a new stage. As mentioned in Recommendation 1 of the report on the Independent Review, the good progress made in the CDIP needed to be consolidated by introducing a higher-level debate to address emerging needs and to discuss the work of the Organization on new emerging issues related to IPRs. The agenda item IP and development was conducive to the implementation of the recommendation under which Member States could conduct broader and higher-level discussions on the issue of IP and development. The Delegation hoped that concrete topics or programs would be established as soon as possible to allow for substantive discussions and work to start. For example, Member States could exchange experiences and best practices on how IP had contributed to national economic and social development. They could also explore emerging issues in the IP area and their solutions. The Delegation hoped to further discuss these issues with all parties.

134. The Delegation of Argentina referred to the decision in the previous session to establish a new agenda item on IP and development. The Committee needed to decide on the modality for conducting work under this item. The Delegation welcomed the proposals that were just presented. The proposal by the Delegation of Brazil contained important elements. The Delegation was open to discuss the issue in order to reach an agreement.

135. The Delegation of Indonesia welcomed the new agenda item on IP and development. This would support WIPO's mission for a balanced international IP system. The focus of a balanced IP system was not predominantly on the positive role of IP protection. It also focused on how to address the negative implications of IP protection that developing countries inevitably faced. Flexibilities were an integral part of the IP system. The Delegation encouraged the implementation of DAR 14. WIPO and related international organizations shall make advice available to developing countries and LDCs on the understanding of flexibilities contained in international IP treaties and agreements. The Organization should facilitate the full use of IP flexibilities to craft a greater developmental role for IP as a tool of economic growth. WIPO still had room to develop more tools on IP-related flexibilities, access to knowledge, and transfer of technology, especially under the new agenda item on IP and development. The Delegation supported the proposal by the Delegation of Brazil on topics to be considered by the CDIP. It emphasized the need to discuss IP and health policies, IP strategies in developing countries, and policy space in a world of TRIPS-plus. All the topics put forward in the Brazilian proposal were important and should be addressed. The Delegation also concurred with the modality for

implementation with consensus among Member States, for the Secretariat to present future work on the topics to be considered under this new agenda item. Discussions should involve IP practitioners, experts, representatives of relevant organizations, and the sharing of strategies and best practices among Member States.

136. The Chair referred to the proposals that were put forward. Group B proposed the holding of a special session at the next CDIP session. The Delegation of the United States of America would like the Delegation of Brazil to submit its proposal in writing for consideration at the next session. He sought the views of delegations on these proposals.

137. The Delegation of Brazil believed that the Committee could find common ground and a workable solution to take these proposals forward. A balanced approach was required. Many countries supported an IP for development approach, and others, a development-oriented IP system. The interests of all Member States should be taken into account. The Delegation referred to the comments by the Delegation of the United States of America and stated that it would submit a written statement. IP and development was one of the most important topics. The Delegation urged Member States to try to find common ground on some topics before the next session. Informal consultations could be conducted in this regard.

138. The Delegation of Switzerland, speaking on behalf of Group B, referred to its proposal for the Secretariat to organize a sharing session on IP and innovation under this new agenda item at the next CDIP session. This should be held during the CDIP session, not before or after or in the margins.

139. The Delegation of Indonesia could only agree to the kind of future work that was in line with its position on IP and development. Indonesia strongly believed IP had a positive role in development. It embraced the IP system. It had put in place regulations for IP protection and enforcement. However, discussions on IP and development should not focus predominantly on the positive role of IP but also on how to address the negative implications of implementing IP systems and protection in developing countries, including Indonesia. A sharing session on IP and innovation, especially if it took place within a CDIP meeting, had to reflect a balanced view on IP and development. The Delegation agreed with the Delegation of Brazil that informal consultations could be held on how to move forward on this agenda item.

140. The Delegation of the United States of America referred to the proposal by Group B to hold a sharing session under this agenda item in the next Committee meeting, and the comments by the Delegation of Indonesia that it should reflect a balanced perspective. It would be up to Member States to share their experiences, and it would be as balanced as the presentations by Member States. The points of view and experiences would be different. That was how balance would be achieved.

141. The Chair proposed that the procedure for addressing this item be addressed at the next session. Delegations could submit their views on issues to be addressed in writing to the Secretariat before then. These could be compiled by the Secretariat.

142. The Delegation of Indonesia referred to the comments by the Delegation of the United States of America and agreed that whatever happened under this agenda item should be up to Member States. The discussions under this agenda item should be meaningful to support a balanced IP system. A sharing session on its own would not have any impact in this regard. The discussion on how to move forward could take place later in this session if there was time to do so.

143. The Delegation of the Islamic Republic of Iran considered the proposal by Group B to be positive. However, the organization of sharing sessions should not substitute substantive

discussions by the Committee on this important issue. The Delegation did not have problems with sharing sessions. However, discussions among Member States on how to proceed on this important issue should be conducted in the Committee. The time allocated to any sharing session should not substitute substantive discussions by the Committee. This was a very important issue. A sharing session should lead to a concrete outcome that went beyond sharing experiences and best practices. Any action under this agenda item should be oriented towards tangible results. National IP strategies and the exchange of information and experiences among Member States were very important and could also be considered in the next session.

144. The Delegation of Switzerland, speaking on behalf of the Group B, referred to the comments by the Delegation of the Islamic Republic of Iran and believed there was a misunderstanding concerning its proposal. The proposal concerned a substantive discussion on IP and innovation, not a discussion on modalities or the next steps.

145. The Delegation of Indonesia stated that the theme, IP and innovation, needed to be discussed first. It needed to understand what IP and innovation really meant in the proposal before it could agree to the proposal.

146. The Chair believed there may not be time to discuss this issue at this session. He reiterated his proposal for delegations to submit their views on issues to be addressed in writing to the Secretariat before the next session. These could then be compiled by the Secretariat for discussion at the next session.

147. The Delegation of Brazil proposed that it could submit a summary of the main topics it had mentioned. Perhaps Group B could do the same in order to try to reach consensus in this session. However, the Delegation had no problems if the Committee preferred to only start discussions at the next session.

148. The Delegation of the United Kingdom noted that some suggestions were quite full and thorough, and may require prioritization. In terms of the process, there were two ways forward. One would be to put all the suggestions in a basket for proper consideration and then prioritize as to what would be tackled under this agenda item. The second way would be to decide on a priority topic to go forward right away and open the door for a continuous intake of suggestions on an ongoing basis. With regard to the second option, it may be difficult to find a priority topic at this session. It may also create difficulties that could hinder substantive discussions under this agenda item. Several delegations had spoken about concrete outcomes. The Delegation was interested to hear what they had in mind in this regard, particularly as the Committee was not a norm-setting body. The Delegation supported the proposal to hold an experience-sharing session that would advance the understanding of best practices in various countries on IP and development. The Chair's suggestion was both reasonable and sensible. It would allow Member States to make the right decision on taking forward substantive discussions under this agenda item.

149. The Delegation of the Islamic Republic of Iran would like Group B and the Delegation of Brazil to share their proposals in writing with all Member States at this session. The Delegation understood there were common elements in the proposals. These could be identified and a solution found for action to be taken in the next session.

150. The Delegation of Switzerland, speaking on behalf of Group B, fully supported the Chair's approach. Member States should be given time to review the proposals. The proposal by the Delegation of Brazil was very long and thorough. It was unlikely that delegations would be able to formulate a position with their respective capitals in this session on the elements of the proposal even if it was submitted in writing by the Delegation of Brazil. The Group referred to its

suggestion for a sharing session and stated that it had not prepared a written proposal for this meeting. The Group had put forward the idea to feed this agenda item. It was more than willing to develop and further reflect on the proposal. The Group believed that prioritizing the topics based on the presented proposals was important.

151. The Chair reiterated his proposal. He also suggested that an informal meeting be held after the agenda items for this session had been addressed to provide an opportunity for the proponents of the proposals to provide further information and clarification regarding the proposals. This would help delegations to prepare for the discussions in the next session.

152. The Delegation of Indonesia stated that it had referred to concrete outcomes, fully aware that the CDIP was not a norm-setting body. It did not refer to an international binding treaty, guidelines and so on. The Delegation did not want the discussions on IP and development to take place merely to fill an agenda item. It wanted it to be more meaningful. It was ready to discuss how to make the discussions under this agenda item more meaningful. A concrete outcome to the sharing session proposed by Group B could be a report or something that its capital could use to see what experiences been shared. The Delegation reiterated that the discussions on this agenda item should include the positive role of IP and address negative implications in implementing IP systems in developing countries. With regard to the Chair's latest suggestion, it was flexible on whether the matter should be discussed in this session or the next.

153. The Chair reiterated his proposal and enquired as to whether the Committee could agree to it. It was agreed given that there were no observations from the floor. The Chair then asked the Secretariat to suggest a deadline for delegations to submit their views before the next session.

154. The Secretariat (Mr. Baloch) stated that the practice in WIPO was to make documents available two months before any WIPO committee meeting. The next session of the CDIP was foreseen to take place from May 14 to 18. Documents should be published by mid-March. Translation and approval for publication as a CDIP document was required in this regard. Thus, delegations should submit inputs by the end of February in order for them to be processed and published.

155. The Chair stated that the deadline for submitting inputs was the end of February 2018. He closed the discussion on this item given that there were no further observations from the floor.

AGENDA ITEM 7: CONSIDERATION OF WORK PROGRAM FOR IMPLEMENTATION OF ADOPTED RECOMMENDATIONS (RESUMED)

Discussions on the way to address SDGs in future CDIP session, including the request for establishing a permanent agenda item (document CDIP/18/4)

156. The Chair requested the Secretariat to introduce the issue.

157. The Secretariat (Mr. Baloch) provided an overview of the issue. CDIP/18 considered a compilation of inputs from Member States (document CDIP/18/4) following a discussion in the preceding session on how SDGs should be discussed in the Committee. The inputs included a proposal from the Delegation of Brazil to include a standing agenda item to address the subject of SDGs. This issue was discussed in the last session. The Committee was unable to achieve progress on this item. Thus, the Committee decided to continue the discussion at this session, as mentioned in paragraph 8.7 of the Summary by the Chair.

158. The Delegation of Switzerland, speaking on behalf of Group B, noted that the adoption of the SDGs by the UN Summit on Sustainable Development was a milestone. The Group fully supported the SDGs and WIPO's efforts to contribute to their implementation, while recalling that the primary responsibility for achieving the SDGs laid with Member States. Nevertheless, WIPO had an important role to play in supporting Member States to reach this goal. So far, discussions on the SDGs in the Committee had been of a theoretical nature, focusing on which SDG or target may be more or less relevant to WIPO's work and on procedural aspects, such as a proposal to establish a permanent CDIP agenda item regarding SDGs. It was time to move on to a more concrete and practical approach that actually could assist Member States to achieve progress in the implementation of SDGs through putting IP tools to good use. The Group had presented its proposal to organize a sharing session on IP and innovation in relation to sustainable development under Item 8 on the new agenda item on IP and development in the spirit of making progress on substance. As indicated in the discussion under Item 8, the procedural framework to discuss the SDGs and to move towards concrete progress already existed. In addition, the CDIP had approved after intensive discussions, the annual procedure for reporting on SDGs to the Committee. This clearly demonstrated that a standing agenda item on the SDGs was not needed, given that nothing prevented nor had ever prevented the CDIP from comprehensively discussing SDGs under other existing agenda structures. The Group reiterated that it was not in a position to support the proposal for establishing a standing agenda item on this issue.

159. The Delegation of Estonia, speaking on behalf of the EU and its member states, acknowledged and valued the contribution of WIPO and the Secretariat to the implementation of SDGs and the associated targets as well as their contribution to inter-agency work on SDG issues. The EU and its member states were strongly committed to supporting the achievement of the SDGs. They were important and relevant to developed countries as much as they were to developing ones. The EU and its member states welcomed the agreement reached on CDIP/18 to provide Member States with an annual report on SDGs. This provided Member States with ample opportunity to discuss SDGs. As such, a separate agenda item on SDGs was not necessary. WIPO, as a multilateral organization addressing IP, had very specific knowledge to contribute to the wider SDG discussions. For WIPO's support to be more centric and effective, it needed to focus on those SDGs and targets which were of greatest relevance to its work and mandate. Hence, they found the work of WIPO to be most relevant under the implementation of SDG 9 (Build resilient infrastructure, promote inclusive and sustainable industrialization, and foster innovation) and SDG17 (Strengthen the means of implementation and revitalize the global partnership for sustainable development). It must also not be forgotten that the overall achievement of SDGs depended primarily on the actions of individual Member States.

160. The Delegation of Senegal, speaking on behalf of the African Group, reiterated that WIPO, as a specialized agency of the UN, had a fundamental role to play in achieving the SDGs. It required strong political will and commitment on the part of the international community to transform the world by 2030. IP played an important role in development, particularly as technology was present in many spheres of life. The implementation of the SDGs required a holistic, structured and coordinated approach. The Group welcomed the efforts of the Organization, particularly the initiative taken by the Director General to nominate a representative on the SDGs and the decision by the CDIP to report on WIPO's continuation to their implementation annually. It was important to hold in-depth discussions on issues linked to development and WIPO's mandate. The CDIP's mandate required the Committee to hold discussions on IP and development. Nevertheless, there should be a standing CDIP agenda item on the SDGs in order for the issues to be discussed in detail and to clearly demonstrate what WIPO was doing in this regard.

161. The Delegation of Georgia, speaking on behalf of CEBS, referred to the efforts by Member States and the Secretariat to advance work on the implementation of SDGs in the WIPO agenda. For many sessions, it favored the approach and supported the focus on those SDGs and targets which were of relevance to WIPO's work. As the CDIP was already addressing the SDGs, the Committee needed to focus on the intensive discussions and adopt a more concrete approach. The Group supported any proposal related to the organization of a session on IP and innovation which could serve as a starting point to address SDGs in future sessions. It looked forward to progress in the implementation of SDGs.

162. The Delegation of Ecuador reiterated the importance of taking into account the universal nature of the SDGs. More space should be allocated for discussion on the SDGs. The Delegation supported the proposal by the Delegation of Brazil for a standing agenda item on the SDGs.

163. The Delegation of Pakistan reiterated its support for the Brazilian proposal. The SDGs were cross-cutting and universal in nature. They played an important and distinct role in delivering Agenda 2030. The acknowledgment would help to coordinate efforts in this regard. The Delegation fully supported the proposal by the Delegation of Brazil.

164. The Delegation of Indonesia stated that in today's increasingly integrated world, the SDGs must be conceived as a truly global agenda with shared responsibilities for all countries based on a strong commitment to engage in collective actions that required support from both developed and developing countries. WIPO was in a position to build on the strength of the current global partnership for development. The Delegation looked forward to the discussion on the way to address SDGs in the CDIP, including the proposal to establish a permanent agenda item.

165. The Delegation of Brazil noted that the 2030 Agenda for Sustainable Development adopted by the UN General Assembly in 2015 highlighted that the challenges faced by the international community today were inter-related, and thus, called for integrated solutions. Brazil's standpoint on the SDGs echoed the UN General Assembly declaration. As mentioned in paragraph 5 of the 2030 Agenda, the SDGs were indivisible and applicable to all countries, taking into account different national realities, capacities and levels of development, and respecting national policies and priorities. This integrated approach was the lynchpin of the 2030 Agenda. Member States should not discuss only some SDGs in WIPO and left others out. Discussing SDGs individually would be the same as discussing only parts of the concept of development. They only made sense together. The 2030 Agenda requested international organizations to mobilize from all sources, "financial and technical assistance to strengthen developing countries' scientific, technological and innovative capacities to move towards more sustainable patterns of consumption and production". It was an area in which WIPO had experience and expertise. WIPO should not evade its responsibility. Although the Delegation had reiterated its position that WIPO should not restrict its role to some SDGs, it was aware that the contribution of the Organization would not be symmetrical to all 17 goals. However, that did not exempt WIPO from engaging in their implementation. The first report on WIPO's contribution to the implementation of the SDGs was circulated in the last session. The report should contain more information on how each strategic goal implemented the SDG that was specifically related to it. The Delegation had requested this for a long time, not only in the CDIP but also at the PBC. In the last three CDIP sessions, the Delegation had proposed the inclusion of a permanent agenda item on implementation of the SDGs. The proposal had received support from the majority of Member States, reflecting the desire of a substantial part of the international community for WIPO to play a more active and transparent role towards mainstreaming the SDGs. A standing item on the SDGs had a number of benefits. It contributed to the streamlining of work. It enhanced transparency, focus and accountability. The Delegation was willing to engage constructively with other Member States to develop a

specific work program for the SDGs. It was willing to exchange thoughts with other members with a view to reaching consensus on the topic.

166. The Delegation of China noted that in the past few sessions, Member States had made many comments on how WIPO should implement the SDGs. The SDGs were important universal goals, formulated by the UN to meet common development challenges in the next 15 years. Implementation of the SDGs was the common responsibility of the international community. IP, as an important driving force for innovation, could play a unique role in the implementation of the SDGs. WIPO, as one of the 16 UN specialized agencies, should actively engage in the process. The CDIP was the most important WIPO platform to discuss development issues. Thus, it was appropriate to continue discussing SDG issues in the Committee. In principle, the Delegation supported the establishment of a standing CDIP agenda item on the SDGs. Consensus had not been reached in the discussions on this issue. To support the discussions, the Delegation proposed that the Committee could embark on some specific issues. For instance, it could request the Secretariat to go through WIPO's work in this area in order to provide Member States with a comprehensive view of the work done by WIPO in implementing the SDGs and provide a basis for further discussion on issues such as identifying SDG goals where WIPO had an advantage, which achievements deserve to be shared and distributed, and areas that needed to be strengthened or improved. The Delegation welcomed proposals from other delegations to advance the discussion on this issue.

167. The Chair noted that positions had not changed. There were no new proposals and views continued to diverge on the way to address SDGs in future CDIP sessions. The Committee was already addressing SDGs. An annual report was presented to the Committee. A Representative of the Director General had been appointed. These were initiatives by the Secretariat. At this stage, the Committee could explore how this issue could feature on the agenda, not necessarily as a separate agenda item. The Delegation of Switzerland proposed on behalf of Group B that it could be under Agenda Item 8, the new agenda item on IP and development. The Committee could not discuss development without discussing sustainable development. Indeed, the SDGs reflect the need for development to be sustainable. The SDGs that were pertinent to WIPO could be discussed as a sub-item under Agenda Item 8. There could be many sub-items regarding development, including the SDGs. The Chair hoped his proposal could be acceptable to delegations.

168. The Delegation of Brazil enquired as to whether the Chair proposed including the topic of SDGs under IP and development.

169. The Chair clarified his proposal. He suggested that the Committee discuss the possibility of including SDGs under Agenda Item 8 as it had not decided on the content of this agenda item.

170. The Delegation of Brazil recognized that the SDGs and the DA were intertwined. However, they were not the same. The SDGs had a specific timeline for implementation and it would end in 2030. However, the DA was permanent. The Delegation would need to consult its capital with regard to the Chair's proposal. At the moment, it would prefer to treat them separately as they were different things. The Committee would need to fill a standing agenda item on SDGs with content, like what it was doing on IP and development. More effort would be made to discuss the issues. It would be more focused and transparent. The Delegation believed all Member States could agree that the SDGs and the DA were separate things. The Committee could make efforts to reach consensus on its proposal. This would be good for all Member States.

171. The Delegation of the Czech Republic stated that its country accepted all the SDGs as an international commitment. The Committee could invite experts on the SDGs and the Director

General to explain the role of Member States and international organizations within the UN system in the implementation process. The Committee could identify concrete targets, goals or indicators arising from the SDGs that may be relevant for WIPO.

172. The Chair noted that there were new proposals on this issue. The Delegation of Brazil wanted to consult its capital, and other delegations may wish to do the same. Thus, the Chair proposed that the Committee return to this issue at the next session to see if progress could be achieved. He enquired as to whether this would be acceptable to the Committee.

173. The Delegation of Brazil fully agreed with the Chair's suggestion.

174. The Chair's proposal to continue discussions at the next session was agreed, given that there were no objections from the floor.

Revised Proposal of the African Group Concerning the Biennial Organization of an International Conference on Intellectual Property and Development (document CDIP/20/8)

175. The Chair requested the Delegation of Senegal to present the revised proposal.

176. The Delegation of Senegal, speaking on behalf of the African Group, introduced the revised proposal. The Group was encouraged by the outcomes of the International Conference held on this topic in April 2016 under the auspices of the CDIP. At CDIP/19, the Group presented a proposal concerning the biennial organization of an international conference on IP and development in a bid to institutionalize and ensure the sustainability of this meeting within WIPO's agenda. The revised proposal took into account the comments provided by Member States. The organizational and logistical arrangements for implementing the proposal included those approved by Member States for the international conference in April 2016. The agreed terms of reference would be re-utilized. The international conference would discuss a theme related to the secondary title to be agreed by Member States at the first session of the Committee in the first year of each WIPO budget cycle. The Secretariat would be requested to structure the program for the international conference program and prepare the content for each theme through informal consultations with Group coordinators. The final program of the conference would be presented at the second session of the CDIP in the first year of the budget cycle for information. The conference could take place in Geneva or another country proposed by Member States. The duration of the conference would be two to three days. It would be held in the first half of the second year of the WIPO budget cycle. The objectives of the conference would be to brief Member States on recent developments in IP and development; and enable participants to discuss the relevance of IP to social, economic and cultural development. The Secretariat would be requested to select speakers based on geographical balance, appropriate expertise, and balance in perspective. Member States would be given the opportunity to suggest the names of speakers. The conference would be held every two years for an initial period of six years starting from the 2018/2019 biennium. The Group hoped consensus would be reached on the revised proposal.

177. The Delegation of the Islamic Republic of Iran stated that the Conference in April 2016 shed light on the relevance of such platforms to enhance engagement among countries and stakeholders, in particular, in terms of exchanging experiences and best practices in the field of development. The organization of such a conference would benefit all countries, particularly LDCs and developing countries. The Delegation had studied the merits, objectives, and terms of reference for this initiative. It supported the proposal and the terms of reference contained therein. The Delegation urged Member States to be flexible and constructive in considering the proposal. The Delegation looked forward to its adoption in the current session.

178. The Delegation of Costa Rica, speaking on behalf of GRULAC, supported the proposal. The revised document was an excellent basis to initiate discussion. The Group recognized the contribution of such conferences to discussions on development and IP. It had already expressed an interest in such a conference at the last session. The Committee and its members recognized the important results of the Conference held on April 7 and 8, 2016. It would be a step forward in the right direction if the Committee decided to hold a similar conference in the next biennium.

179. The Delegation of Indonesia, speaking on behalf of the Asia and the Pacific Group, supported the proposal. Such a conference would help to raise awareness on how to harness IP policies as a tool for development.

180. The Delegation of Pakistan supported the revised proposal by the African Group. The proposal in the current form offered many merits. The conference would help to brief Member States on recent developments on IP and development. It could also provide positive contributions to the agenda item of IP and development. The Delegation also envisaged its important role to discuss not only the benefits from the IP system but also the relevance of IP to social, economic and cultural development.

181. The Delegation of Ecuador reaffirmed its support for the proposal. Such conferences dealt with substantive issues related to development which were of interest to countries. It would be appropriate to consider the possibility of holding an event during the next biennium and a similar initiative in future biennia.

182. The Delegation of Switzerland, speaking on behalf of Group B, noted that the revised proposal provided some additional details on the organization of such a conference. The Group noted that most of the concerns it expressed in the last session were not taken into consideration when the proposal was revised. The Group was not convinced of the need to hold a standalone two to three-day conference every two years. The CDIP already provided a good platform to discuss topics on IP and development. This was even more so after the creation of a new standing agenda item on IP and development under which Member States could discuss current and future challenges of IP systems and socio-economic development. The Group noted that the revised proposal by the African Group suggested that the next conference should focus on the topic, "How to benefit from the system". As mentioned in the discussion on the Progress Reports, various WIPO projects and initiatives were targeted at the optimal use of the IP system by Member States. If other groups and delegations felt there was a need to grant this topic more space, the Group was ready to constructively discuss this topic under the new agenda item on IP and development.

183. The Delegation of Estonia, speaking on behalf of the EU and its member states, were supportive of organizing a conference on IP and development when there was a need and interest to be met. However, such an event must be specific enough to ensure that it would be engaging and enable attendees to exchange views on concrete and relevant issues. It must also be well thought out from a timely and budgetary perspective. Options to discuss relevant issues under the Committee's existing agenda items should be exhausted before introducing new institutionalized working methods such as the proposed Conference. The African Group proposed that the secondary title of the conference to be held during the 2018/19 biennium should be "How to make use of the system". This was a broad and somewhat diffused topic. It would be helpful to learn more about the expected outcomes and benefits of holding a conference on this topic before assessing whether a conference was indeed the most suitable format for addressing these issues and the needs of Member States. The EU and its member states referred to the possibility of organizing events during CDIP sessions as a possible method for addressing specific topics related to IP and development. This would enable delegates attending the CDIP session to exchange views on relevant topics without incurring

any additional travel and accommodation costs. Combining these discussions with CDIP sessions would lessen the burden on WIPO's budget. CDIP/19 approved and the WIPO General Assembly decided on the establishment of a new agenda item on IP and development which currently had substantive topics to address. A themed discussion, such as the one proposed in the African paper, could be a way to make the best use of this agenda item. The objectives set out in the revised proposal seemed to coincide with those of the new agenda item. Therefore, taking into account the limited resources of all relevant parties, the alternative format of events being held during CDIP meetings and the possibility to make use of the new agenda item should be kept in mind when contemplating on the format and nature of the proposal. In view of what had been said, the EU and its member states were not fully convinced of the need to hold a conference now as proposed by the African Group, nor to commit WIPO to holding a conference on IP and development in each biennium as per the current proposal. Nevertheless, they looked forward to fruitful discussions on this matter and were interested to hear the views and constructive inputs of other groups.

184. The Delegation of Brazil fully supported the proposal. It was an important complementary initiative to the agenda item on IP and development. These should be seen in parallel. The proposal was urgent and important. The Committee should focus on the broader picture which was the importance of the conference. It had everything to do with the Committee. It was a way to maintain momentum on the topic of IP and development.

185. The Delegation of Georgia, speaking on behalf of CEBS, was interested to discuss the revised proposal in more depth. The Group restated its position on the organization of a conference on IP and Development. It had studied and considered the merit and objective for organizing such a conference. The Group continued to favor the organization of events focused on concrete topics during the CDIP sessions without incurring additional costs. It looked forward to hearing the interventions of other delegations on the proposal.

186. The Delegation of the Czech Republic recalled that the Committee spent many years discussing the terms of reference for the International Conference that was held in 2016. There were many problems such as those related to the list of speakers. Due to limited resources, the Czech Republic could not attend the Conference. Thus, it would prefer a smaller event to be organized within CDIP sessions. For example, a CDIP session could be shortened to four days. One day could be devoted to a specific topic or event. The Committee should recall its experience in organizing the international conference in 2016 when deciding on the organization of similar conferences.

187. The Chair noted that views continued to diverge on this issue. He suggested that the debate be suspended. Delegations could interact to see whether an agreement could be reached in the coming days.

188. The Delegation of Senegal, speaking on behalf of the African Group, proposed that informal consultations be held on the proposal.

189. The Chair stated that the request would be taken into consideration. The discussion on this item was suspended.

Discussion on the Implementation of the Recommendations of the Independent Review
(continued)

190. The Chair referred to Recommendations 5 and 11. Language was required to conclude on these recommendations. He invited delegations to provide inputs in this regard. He referred to the question raised by the Delegation of the Islamic Republic of Iran on what should be done when all the recommendations were adopted. He was not sure whether the debate should be reopened on this issue as it had been considered in the past. It was agreed that some recommendations should be referred back to the Secretariat for implementation. Some other recommendations were the responsibility of Member States. There were also recommendations that required implementation by Member States and the Secretariat. He proposed that the Committee could request the Secretariat to provide further information to determine what was the responsibility of each party in the implementation of the 12 recommendations to which the Committee had already agreed. This was agreed given that there were no objections from the floor. The Chair enquired as to whether the Secretariat could provide an outline of what it could do based on his suggestion.

191. The Secretariat (Mr. Baloch) recalled that it had prepared document CDIP/19/3 in response to the Committee's request for the Secretariat to provide information on the recommendations that were addressed to the Secretariat. As mentioned by the Chair, there were three types of recommendations. One was addressed to the Secretariat, the second category was addressed to Member States and the Secretariat, and the third category was addressed to the CDIP. The categorization had been done. The Secretariat had provided responses to the recommendations that were addressed to it. It had provided the background to the second type of recommendations which were addressed to Member States and the Secretariat. In some cases, action by the Secretariat was dependent on a decision by Member States. In cases where a recommendation was only addressed to the Secretariat, it needed a decision and endorsement by Member States that what it had provided was acceptable to them. The Secretariat did not know what further information could be provided with regard to the types of recommendations.

192. The Chair stated that the recommendations had been adopted with a view to their implementation. At the next session, the Committee would look at progress achieved in the implementation of the recommendations. That would be subject to debate in the Committee. In terms of future work, the Committee should look at progress made in the implementation of the recommendations. The Chair enquired as to whether the Committee could agree to his conclusion.

193. The Delegation of the Islamic Republic of Iran understood that the Chair suggested looking at progress in implementation of the recommendations at the next session. The Delegation did not know how the Committee would proceed on the implementation of these recommendations as the modalities for implementation had not been discussed. The Committee also needed to discuss and define the reporting and reviewing process for the 12 recommendations.

194. The Chair stated that the Committee had adopted the 12 recommendations. When a recommendation was adopted, it must be implemented. This issue would be on the agenda for the next session. In that session, the Committee would not consider the recommendations, but rather their implementation.

195. The Delegation of the Islamic Republic of Iran enquired as to whether the reporting and reviewing process would be discussed in the next session. This was an issue that the Committee was supposed to discuss at this session. The Delegation had no problems with regard to discussing the implementation of recommendations in the next session.

196. The Chair stated that the Committee had agreed to adopt all recommendations first and then look at their implementation. It would not adopt some recommendations and start implementing them, and then look at the others with a view to adopting them. The Committee would proceed to the implementation phase as all the recommendations had been adopted. This would be examined in the next session.

197. The Delegation of Switzerland, speaking on behalf of Group B, understood that not all of the recommendations had been adopted. Recommendations 5 and 11 were not adopted. The discussion was still going on. The Committee still had to find language to sort this issue out. The Group was still not clear on how the Committee would proceed with regard to the follow-up on adopted recommendations, the implementation strategies of adopted recommendations, and the reporting and reviewing process. The Group had some views on the follow-up. The Group suggested that further discussions could be held later in the week on how to move forward on this particular point.

198. The Chair referred to Recommendations 5 and 11. He had made his conclusions on them. It was only the wording that was pending. It was decided that, in light of what was presented by the Secretariat, the approach would be for the Committee to take note of those two recommendations and encourage the Secretariat to continue their current practice with regard to them. With regard to implementation and clarifications, the Committee could look at those recommendations in the next session if they were not clear. It was not up to him to clarify them.

199. The Chair resumed the discussion on the 12 recommendations of the Independent Review. He enquired as to whether the Committee could adopt the 12 recommendations in order to move forward to the next stage.

200. The Delegation of Switzerland, speaking on behalf of Group B, reiterated that it was not in a position to adopt Recommendations 5 and 11. The Committee could take note of these two recommendations and maybe move forward on this.

201. The Chair noted that Recommendations 5 and 11 were not yet adopted. The idea that emerged from the discussions from the day before, was to take note of these recommendations and encourage the Secretariat to continue implementing them to the extent that they were already doing so in their regular work. Language was required in this regard. The Chair wondered whether it would be possible to adopt these two recommendations at this session. If this was not possible, perhaps they could be set aside until the next session, and the Committee could look into what could be done with regard to the implementation of the 10 agreed recommendations. At the last session, the Committee agreed to look into how adopted recommendations should be implemented and to continue examining recommendations that had not yet been adopted. He requested delegations to focus their interventions in that direction.

202. The Delegation of Senegal, speaking on behalf of the African Group, had a few concerns with regard to the approach suggested by the Chair. The report contained 12 recommendations. The Committee could not take up 10 recommendations and leave two aside. The Group was not able to just take note of those recommendations. The Secretariat had already indicated that it was implementing Recommendation 5 in its regular work. Thus, the Group did not see any problem in adopting those recommendations.

203. The Chair recalled the decision taken at the last session. As stated in the Chair's Summary for CDIP/19, the Committee would continue to discuss the recommendations that were still not adopted, and discuss modalities and implementation strategies for the adopted

recommendations. He enquired as to whether the African Group had taken into account the decision taken at the last session.

204. The Delegation of Senegal, speaking on behalf of the African Group, stated that it had taken into account the decision taken at the last session. Its position had not changed. With regard to the modality for implementing the adopted recommendations, the approach suggested by the Chair was pertinent. The Secretariat could submit periodic reports on progress in the implementation of recommendations.

205. The Chair referred to the adopted recommendations and the role of the Secretariat in the implementation of those recommendations. The Secretariat could not act independently. It was up to the Member States to give clear instructions to the Secretariat on what it should do in the implementation of those recommendations. There were also recommendations that concerned Member States. They were called upon to do whatever they considered necessary in order to implement those recommendations. Recommendations 5 and 11 were still pending as Group B was currently unable to adopt them. However, the African Group insisted that they should be adopted. Perhaps the Committee could try to find a compromise in this session. When the Committee reached a general agreement on all 12 recommendations, Member States could be requested to submit written opinions on how they should be implemented. At the next session, Member States could also look into what decisions were required in order to implement the various adopted recommendations. The sought the views of delegations in this regard.

206. The Delegation of Indonesia, speaking on behalf of the Asia and the Pacific Group, highlighted that it had been discussing how to move forward with regard to the modalities and strategies for the implementation of the recommendations. Its position was along the lines of what was suggested by the Chair. However, it should be more concrete. The Group proposed that the Secretariat could invite Member States to make submissions on the modalities and strategies for implementing the adopted recommendations. The Secretariat could prepare a compilation and make it available before the next session. This would give delegations time to study the document and prepare for the discussion in the next session.

207. The Delegation of Egypt sought clarification on the Chair's suggestion. It did not understand how the Secretariat could implement something that was not yet adopted by Member States.

208. The Delegation of Brazil referred to the different standpoints on Recommendations 5 and 11. The Chair could propose some language in order for the Committee to try to reach an agreement on these recommendations. With regard to the implementation of other recommendations, the Delegation stated that it was not ready to provide concrete suggestions on this matter. It would be better to leave that until the next session.

209. The Delegation of the Islamic Republic of Iran referred to Recommendations 5 and 11 and reiterated its preference for the adoption of these remaining recommendations. There was no consensus with regard to these recommendations. The Delegation had no problem to continue the discussion on Recommendations 5 and 11 in the next session. On the modalities and implementation strategies for adopted recommendations, the Delegation was in favor of giving Member States an opportunity to submit their views on these matters. The same applied to the reporting and reviewing process. Member States could submit comments on all the topics that were agreed in the previous session.

210. The Delegation of Switzerland, speaking on behalf of Group B, referred to the Chair's suggested approach to the implementation of recommendations and the way forward. The Committee should be very cautious if it was to request Member States to submit their views on how to move forward. Implementation strategies for adopted recommendations were mentioned

in paragraph 8.1 of the Chair's Summary for CDIP/19. Specific recommendations or parts thereof would by their very nature be subject to different modalities and implementation strategies. Some recommendations were implemented by a simple decision of adoption, others related more to processes. Some recommendations or parts of recommendations were directed to the Secretariat, some others to the CDIP, and others to individual Member States. For recommendations directed to the Secretariat, the Group fully supported the modalities and implementation strategies outlined in document CDIP/19/3. The Secretariat should be entrusted with implementation as outlined in the Secretariat's response in that document and in line with the decision taken at CDIP/19. For recommendations directed to the CDIP, Member States could present, where appropriate, specific proposals to the CDIP for consideration. As for recommendations directed to individual Member States, national officials should consider appropriate actions for implementation at the national level. Paragraph 8.1 of the Chair's summary for CDIP/19 also referred to reporting and reviewing progress. The Group noted that the CDIP examined, on a yearly basis, the Director General's report on the implementation of the DA. This was a useful instrument. It could also be used for reporting and reviewing progress in relation to the Independent Review. These could be included in the Director General's annual report on the implementation of the DA. This would provide Member States with a holistic and comprehensive view of the implementation of the DA in a single report. The Group did not support the setting up a parallel reporting process which would be burdensome for the Secretariat as well as Member States. Instead of adding clarity, it would only add complexity and duplication.

211. The Delegation of the United States of America fully supported the statement made by the Delegation of Switzerland on behalf of Group B. The Delegation referred to the point raised by the Delegation of Egypt on how Recommendations 5 and 11 would be implemented if they were not adopted. As explained by the Secretariat yesterday, Recommendation 5 and the second part of Recommendation 11 had already been implemented. The Committee did not need to tell the Secretariat how to implement them. All it needed to do was to encourage the Secretariat to continue implementing them along the same lines as it had been doing. The Delegation did not see why the Committee needed to adopt something that had already been implemented. That seemed like a very formalistic process. The Committee had fully discussed those recommendations. It had addressed them and there was nothing left for the next session or the session after that to discuss on Recommendations 5 and the second part of Recommendation 11. They had been implemented by the Secretariat. The Delegation did not see why the Committee needed to adopt them because there was no reason for it to do so. The Committee could take note that they had been fully addressed.

212. The Chair stated that the idea was not just to adopt them, but also to see to what extent implementation needed to be improved. He referred to the question posed by the Delegation of Egypt on how Recommendations 5 and 11 would be implemented if they were not adopted. As mentioned in the Chair's Summary for CDIP/19, the Committee had agreed to continue discussing recommendations which were not yet adopted. This included Recommendations 5 and 11. The Committee also decided to define the modalities and strategies for implementing adopted recommendations. The Chair referred to the comments made by the Delegation of Switzerland on behalf of Group B. It outlined a general position on the whole process. However, the Committee needed to look at this stage by stage. It was currently at the adoption phase. Recommendations 5 and 11 were not yet fully discussed. The Secretariat had provided its views. However, the Committee should also look into why the independent reviewers had included recommendations if the Secretariat was already implementing them. They could be invited to the next session to explain why they had made those recommendations. This could help to clarify the issue. Even if the Committee took note of the recommendations and encouraged the Secretariat to improve their current practice, it needed to provide specific guidance to the Secretariat. That was the same for the other recommendations. This could be done at the next session for all the recommendations. The Committee would need to discuss

and agree on the specific actions to be undertaken by the Secretariat with regard to implementation of the adopted recommendations.

213. The Delegation of Indonesia agreed with the Chair's explanation of the current situation. Perhaps some recommendations needed to be improved. Some delegations argued that the Committee did not need to adopt Recommendations 5 and 11 as they were already implemented. However, there was no harm in adopting something that was already implemented. These recommendations were directed to the Secretariat, not to Member States or the Committee. If adoption was really formalistic, there was no harm in adopting those recommendations. The Delegation referred to the suggestion by the Asia Pacific Group for the Secretariat to invite Member States to make submissions on the modalities and strategies for implementing the adopted recommendations and provided clarifications in this regard. There were three kinds of recommendations in the report of the Independent Review. There were recommendations directed to the Secretariat. There were also recommendations directed to the Committee or Member States. The Secretariat could invite Member States to provide inputs on the recommendations that required them, especially those that were directed to the Committee. The implementation of recommendations directed at individual Member States should be left to them. The Secretariat could also invite Member States to provide inputs on recommendations directed to the Secretariat where the guidance of Member States was required. If the Secretariat did not require guidance on a particular recommendation, the Secretariat did not need to include it in the invitation for Member States to submit inputs. The Secretariat could just report to the CDIP on what it had done with regard to the recommendation that was directed to it. The Delegation referred to the suggestion by Group B for the Director General's annual report to include reporting and reviewing progress on implementation of the recommendations. The Delegation agreed that the Secretariat should not be burdened with a separate report. There should be no duplication of work. However, if the said elements were to be included in the Director General's annual report, the recommendation framework should be used for this purpose.

214. The Delegation of Switzerland, speaking on behalf of Group B, referred to the statement made by the Delegation of Indonesia. It had not fully understood the comments made on reporting and reviewing progress. With regard to the way forward, the Group could agree to the suggestion for Member States to submit written inputs on how to implement the recommendations of the Independent Review that were directed to the CDIP, as mentioned in its previous intervention. However, it would be problematic to do so for recommendations directed to the Secretariat. The Group reiterated that it supported the modalities and implementation strategies outlined in document CDIP/19/3. The Committee should entrust the Secretariat with implementation as outlined in that document.

215. The Chair stated that if Member States were required to provide guidance, it would be discussed in the Committee. When reference was made to the Member States of the Committee, he did not see any difference between Member States and the Committee. The Committee would decide after obtaining the agreement of all members. That was the procedure in force. Group B stated that the Committee should not provide guidelines to the Secretariat. However, the Secretariat requested for them. The Committee had to agree on how the Secretariat should implement recommendations that concerned the Secretariat. Taking into account the interventions that were made, the Chair proposed the following. First, the Committee would continue to review Recommendations 5 and 11 in this session. The discussion would continue in the next session if a solution could not be reached. The independent reviewers could be invited to explain why those recommendations were made when the Secretariat was already implementing them. Second, Member States would provide inputs on the way in which the Secretariat and Member States should implement the adopted recommendations. To save time, Member States could submit inputs in writing for discussion in

the next session. Otherwise, they could provide them in the next session. The Chair sought the views of delegations on his proposal.

216. The Delegation of Brazil referred to the suggestion by the Chair for Member States to submit written inputs and sought clarification in light of the comment made by the Delegation of Switzerland on behalf of Group B, that Member States should only submit written inputs on how to implement certain recommendations. The Delegation would like to know whether written inputs should be submitted with regard to all or some of the adopted recommendations.

217. The Chair stated that adopted recommendations should be implemented. It was merely a question of procedure. Member States could not be prevented from providing information to the Secretariat on the guidelines it wished the Secretariat to follow. The inputs could then be discussed. As indicated in the decision at CDIP/19, the Secretariat sought clarifications on how to proceed concerning recommendations that needed decisions by Member States.

218. The Delegation of Indonesia, speaking on behalf of the Asia and the Pacific Group, agreed on the way forward suggested by the Chair. The Group provided further clarifications on its proposal taking into account the views expressed by other delegations, including Group B. There were three types of recommendations. They were directed to the Secretariat, Member States or the Committee. The main focus should be on those recommendations that were directed to the Committee. The Group proposed that the Secretariat could invite Member States to submit written inputs, especially on recommendations that were directed to the Committee. If the Secretariat required guidance on some recommendations that were directed to the Secretariat, these could be included in the invitation for submission of inputs. The Secretariat would prepare a compilation of the submissions by Member States as a basis for further discussion in the next session. The Group believed this would minimize any confusion that may arise in the future with regard to the discussion on this issue.

219. The Chair stated that Member States should provide inputs on how the Secretariat should implement the recommendations that were directed at the Secretariat. The Secretariat could then inform Member States on whether or not it would be possible to do so. It would then be discussed and a decision could be reached on what was feasible.

220. The Delegation of the Islamic Republic of Iran was generally in favor of the Chair's proposal. However, some language should be drafted in order for it to be considered in more detail.

221. The Chair stated that the Secretariat would prepare a draft based on his proposed text for his Summary. It would be submitted to delegations for approval.

222. The Delegation of Indonesia, speaking on behalf of the Asia and the Pacific Group, provided further clarifications on its proposal. After the CDIP session, the Secretariat would send a note to Member States to invite them to submit their views on the recommendations mentioned in the note in order for a compilation to be prepared for the next session. The applicable recommendations should be mentioned in the note as those responsible for handling this issue in the capitals may not know which recommendations they should actually comment on. The Group agreed with Group B that the inputs should focus on the recommendations directed to the Committee. If the Secretariat required guidance on some recommendations directed to the Secretariat, these could also be listed in the invitation. The document containing a compilation of the inputs would be the basis for further discussion in the next session. The Group was not requesting the Secretariat to provide their views on the recommendations.

223. The Chair stated that the comments by the Asia and the Pacific Group would be taken into account. It did not prevent Member States from providing guidance on questions that the

Secretariat had not asked for clarifications. He enquired as to whether the Committee could agree to his proposed approach and summary. This was agreed given that there were no objections from the floor. The Chair suggested that informal consultations be organized to discuss Recommendations 5 and 11 to see whether an agreement could be reached.

AGENDA ITEM 6: MONITOR, ASSESS, DISCUSS, REPORT ON THE IMPLEMENTATION OF ALL DA RECOMMENDATIONS

(i) WIPO TECHNICAL ASSISTANCE IN THE AREA OF COOPERATION FOR DEVELOPMENT

Report on the WIPO Roster of Consultants Database (document CDIP/20/6)

224. The Secretariat (Mr. Di Pietro) introduced the Report on the WIPO Roster of Consultants (RoC) Database (CDIP/20/6). The database was finalized in July 2010. It integrated information and data on consultants/experts hired by the Organization to undertake specific IP technical assistance activities. The consultants were hired for a specific task for a defined period of time and were not based at WIPO Headquarters or any of its external offices. WIPO published personal and professional information of the consultants pursuant to their consent. Not all information was accessible to the public. Examples of information that was not public included contact details, financial obligations, and documentation related to activities and persons. The current RoC search results were clustered into five categories, including name, nationality(s), language(s), expertise in the field of IP, and WIPO assignments. During 2015 to 2016, WIPO hired 783 consultants representing all geographical regions. Seventy per cent were male and 30 per cent were female. The report also included statistics on the most represented fields of expertise. The native language of the consultants varied (420 English, 143 Spanish, 67 French, 29 Portuguese, 21 Arabic, 18 Chinese and so on). The report also provided information on their country of origin and gender. The Secretariat was currently in the process of upgrading the database. It was foreseen to be incorporated into the WIPO ERP (Enterprise Resource Planning) environment. The objective of this transition, *inter alia*, was to electronically capture and record technical assistance activities in which consultants/experts were hired by WIPO. This would avoid errors and omissions. It would also reduce the costs associated with the current manual processing of data. The transition to the ERP was foreseen to be completed by March 2018. Following its migration to the ERP platform, the RoC would acquire a different look and format that was expected to provide a more user-friendly interface and faster retrieval of information. The enhanced RoC would include new features. It would give participants the possibility to evaluate the activities of the consultants/experts. It would also allow the Secretariat to extract and share data with external parties. The RoC would make available information related to the assignment of the consultants and their expertise in English, French and Spanish.

225. The Delegation of Switzerland, speaking on behalf of Group B, supported the steps mentioned in the report to upgrade the RoC, especially measures taken to reduce costs associated with the manual processing of data, provide a more user-friendly interface and faster retrieval of information, and the introduction of new features. The latest improvements to the RoC were useful and would make the process of hiring consultants more transparent. The Group looked forward to the presentation of the newly updated RoC database at the next CDIP session.

226. The Delegation of China noted that the content of WIPO technical assistance activities was increasing and it involved more countries. More expertise was required. External consultants and experts were required to supplement the Secretariat's capacity in this regard. The Delegation put forward three suggestions with regard to the upgrading of the RoC. First,

the geographical representation of the consultants could be improved. Second, the diversity of the experts could be strengthened. For instance, they could be from government agencies, the judiciary and companies. They could also include individuals who specialized in IP strategies. Third, measures could be taken to enable the experts and consultants to fully play their role.

227. The Delegation of Georgia, speaking on behalf of CEBS, was pleased with the practice of hiring external experts and consultants for specific IP technical assistance activities and the wide geographical representation. It recognized the Secretariat's efforts to upgrade the RoC by incorporating it into the electronic WIPO ERP environment. This could be more efficient compared to manual processing. It would also improve data quality. The Group looked forward to the timely completion of the transition of the RoC database to the ERP, and a presentation of the updated database by the Secretariat at a further CDIP session.

228. The Delegation of the Russian Federation believed this was a very important initiative. It welcomed the efforts made by the Secretariat and the work done to improve data in the updated RoC. The Delegation was always prepared to exchange experiences.

229. The Delegation of Turkey aligned itself with the statement made by the Delegation of Switzerland on behalf of Group B. The consultants hired by WIPO to carry out specific tasks were an important part of WIPO's technical assistance activities. The selection, monitoring and evaluation of consultants for the successful implementation of technical assistance activities should be done prudently and transparently. A merit-based approach should be adopted. In this regard, the Delegation welcomed the incorporation of the RoC into the WIPO ERP environment. This would enable the activities of the consultants and experts to be captured electronically and recorded. The possibility for participants to evaluate the activities of the hired consultants and experts through the new RoC could also help to improve technical assistance activities.

230. The Delegation of Estonia, speaking on behalf of the EU and its member states, was pleased to see a well-established practice at WIPO for hiring external experts and consultants for specific IP technical assistance activities. The positive value of engaging these experts was evident from the scope of this practice. During 2015 to 2016, a total number of 783 experts were outsourced. The information presented in the document showed that in choosing the experts, WIPO had managed to retain a wide geographical representation. Nevertheless, there was room for improvement in the area of gender balance. The EU and its member states referred to the Secretariat's efforts to upgrade the RoC by incorporating it into the electronic WIPO ERP environment. By making it easier to capture, record, and retrieve information in the database, the transition could lead to significant efficiencies compared to the manual processing of data done currently. In particular, they welcomed the estimated savings in time and costs for operating the RoC database as well as the expected improvement in data quality. They hoped that the transition would result in improved customer experience by providing a more user-friendly interface as well as faster information retrieval. They welcomed the added features, such as the possibility to evaluate the activities undertaken by consultants/experts, and to extract and share data with external parties. They also appreciated the introduction of additional languages to display data, namely, French and Spanish. The EU and its member states looked forward to the timely completion of the transition of the RoC database to the ERP and the presentation of the updated database by the Secretariat at a future CDIP session.

231. The Delegation of Canada endorsed the statement made by the Delegation of Switzerland on behalf of Group B. It took note of all the activities in the report that had been taken following the adoption by the Committee of the proposal presented by the Delegation of Spain. It supported all efforts made to implement each of the six items. The proposal aimed to enhance the delivery of technical assistance by WIPO. Document CDIP/20/6 provided a good overview of the current situation with regard to the RoC and steps taken to improve it. The integration of

the RoC database into the electronic WIPO ERP would result in significant improvements, including a reduction in costs associated with the manual processing of data and improving the quality of service in general. The Delegation noted that the RoC would make information related to the assignment of the consultants/experts and their expertise, currently displayed only in English, in two additional languages, namely, French and Spanish.

232. The Chair closed the discussions on the report given that there were no further observations from the floor. The Committee took note of the report.

Report on the Roundtable on Technical Assistance and Capacity Building: Sharing Experiences, Tools and Methodologies (document CDIP/20/3)

233. The Chair invited the Secretariat to present the report on the Roundtable on Technical Assistance and Capacity Building: Sharing Experiences, Tools and Methodologies (document CDIP/20/3).

234. The Secretariat (Mr. Baloch) introduced the report. In the context of the External Review of WIPO Technical Assistance in the Area of Cooperation for Development, the CDIP/18 had decided to implement a six-point proposal presented by the Delegation of Spain. One of the actions expected of the Secretariat was the organization of an event which was originally mentioned as a seminar in the proposal, but was converted into a roundtable after due consideration and consultations with Member States. The event was held on May 12, before the last CDIP session. The main objective of the Roundtable was to provide Member States with a platform to share their experiences, tools and methodologies regarding technical assistance. WIPO officials from different Sectors / Divisions involved with providing technical assistance made presentations on each theme in the Roundtable. Although the Roundtable was well received by delegations, there was a lack of active participation by Member States themselves. As mentioned, the primary purpose of the Roundtable was for Member States to exchange views. This was expressed by Mr. Mario Matus, Deputy Director General, Development Sector of WIPO, who opened the session and did the wrap-up session of the Roundtable. The Secretariat found the Roundtable to be very useful as it ended up showcasing everything that it could offer as technical assistance to Member States. The Secretariat encouraged delegations to make full use of the information contained in the document as well as the materials that were distributed and presented during the Roundtable which were available on WIPO's website.

235. The Delegation of Chile stated that the Roundtable was a useful experience for Member States. The Delegation reiterated its request for the development of a tool or web portal that would contain the contact details of WIPO staff in charge of the different divisions and sectors of the Organization. This would be helpful for delegations and could make WIPO's work more efficient. The Delegation also referred to the request to improve the dissemination of information concerning WIPO Re:Search and WIPO GREEN in Latin American countries. These initiatives were examples of how IP could effectively support development.

236. The Delegation of Georgia, speaking on behalf of CEBS, noted that the Roundtable was a success. It led to substantive discussions and the sharing of experiences on tools and methodologies on technical assistance and prospects on the delivery of technical assistance. There was a need to develop programs on IP-related issues addressed to the youth. It was crucial to raise the awareness of this specific target group in order to ensure the effective protection of IP.

237. The Delegation of the Islamic Republic of Iran attached great importance to the continuous efforts to improve the delivery of technical assistance through projects which

enhanced the mainstreaming of the DA into WIPO's work. The Roundtable was an important achievement. During the Roundtable, Member States and the Secretariat held interesting discussions on needs assessment, planning, design implementation, and monitoring and evaluation of technical assistance activities. The discussions would contribute to improving technical assistance and capacity building activities in the future. Such activities were essential to the implementation of the DA projects. They assisted in enhancing transparency and understanding of the process. The Roundtable also clarified that technical assistance and capacity building activities provided by WIPO should not be limited to projects. As capacity building and technical assistance was constantly evolving, such activities should be held regularly.

238. The Delegation of Switzerland, speaking on behalf of Group B, noted that Roundtable was a useful platform for Member States to share their experiences, tools and methodologies regarding technical assistance, as indicated in a high percentage of evaluation responses. The report provided a useful overview of WIPO's activities and initiatives in the field of technical assistance. For Member States who were not able to attend the Roundtable, it also contained useful links on how to access the presentations and videos on demand.

239. The Delegation of Senegal, speaking on behalf of the African Group, continued to attach great importance to technical assistance and capacity building as an integral part of WIPO's mandate. It welcomed efforts undertaken by the Development Sector in this area. As pointed out in the report, there were many challenges in this area. Hence, there was an urgent need to take sustained action. For example, the constraints relating to the assessment of needs should be addressed as this was the foundation for technical assistance requests. It approved the conclusions expressed by Mr. Matus, Deputy Director General, WIPO Development Sector, which were aimed at improving the sustainability and effectiveness of technical assistance. The Group would make all efforts to contribute to improving the effectiveness of technical assistance.

240. The Delegation of the United States of America highlighted that it actively participated in the Roundtable by sharing the USPTO's experience and best practices in planning and designing as well as monitoring and evaluating of technical assistance and capacity building programs delivered by the Office. The event was well organized. The presentations were very informative. The robust discussions that followed presentations by the Secretariat contributed to the success of the Roundtable. The Delegation recognized WIPO's continuous commitment to improve the delivery of technical assistance and to look into ways to make it more efficient and sustainable, as evidenced by the ideas shared by Mr. Matus, Deputy Director General, WIPO Development Sector, in the conclusion of the Roundtable.

241. The Delegation of Estonia, speaking on behalf of the EU and its member states, regarded the May, 12 Roundtable as a success as it was well structured and led to substantive discussions. Member States had an opportunity to share their experiences, tools, and methodologies regarding technical assistance as well as to learn about the Secretariat's perspective on the delivery of technical assistance. Delegations that had not yet familiarized themselves with the presentations and videos on demand of the Roundtable could do so via WIPO's website. The EU and its member states reiterated the words of Mr. David Muls, Senior Director, Department for Trademarks, Industrial Designs and Geographical Indications, who pointed out that for legislative advice to be successful, it must be delivered in an able and interactive way. It must be responsive to local needs. They had full trust in WIPO in delivering relevant and accurate legal advice which was also confidential and neutral. They echoed the words of Mr. Mario Matus, Deputy Director General, WIPO Development Sector, who in the wrap-up session noted the importance of awareness-raising on issues related to IP and development. The EU and its member states stressed on the need to develop programs on IP-related issues which were addressed to the youth.

242. The Delegation of the Russian Federation stated that its experts who actively participated in the Roundtable found the event to be very useful and informative. Fruitful discussions were held. The Delegation welcomed the publication of the report on the Roundtable. The report would make it possible for interested parties to be informed about the proceedings at the Roundtable. It welcomed the holding of such events in general because they could help to increase the effectiveness of WIPO's technical assistance.

243. The Delegation of Canada noted that the Roundtable was a useful platform for Member States to share their experiences, tools and methodologies regarding technical assistance. It covered various themes. Canada, as a provider of technical assistance, benefited from the discussions. The conclusions read out by Mr. Matus, Deputy Director General, WIPO Development Sector, highlighted the importance of organizing programs to engage youth in IP related-issues.

244. The Chair closed the discussions on the report given that there were no further observations from the floor. The Committee took note of the information contained in the report.

AGENDA ITEM 6: MONITOR, ASSESS, DISCUSS, REPORT ON THE IMPLEMENTATION OF ALL DA RECOMMENDATIONS (RESUMED)

Measures Undertaken to Disseminate the Information Contained in the Database on Flexibilities (document CDIP/20/5)

245. The Vice-Chair invited the Secretariat to present document CDIP/20/5 on Measures Undertaken to Disseminate the Information Contained in the Database on Flexibilities.

246. The Secretariat (Mr. Baloch) introduced the document. It was prepared in response to a decision by CDIP/19. The decision requested the Secretariat to, *inter alia*, "undertake measures to ensure a better dissemination of the information contained in the Database and inform the Committee at a future session on those measures." The document contains detailed information on activities, where those dissemination measures took place, including international conferences, workshops and other related meetings. It also included information on dissemination through social media. The database was available on WIPO's website. As indicated in the document, statistics were obtained from the IT division to see if the activities aimed at disseminating the information had produced results. The statistics suggested there had made some improvement. The document was for information of the Committee. The Secretariat would take note of any observations, comments and suggestions by delegations.

247. The Delegation of the Islamic Republic of Iran welcomed the activities and initiatives directed by the Development Agenda Coordination Division to disseminate information contained in the database on flexibilities. The database was a useful tool to explore the flexibilities contained in the international IP legal framework. The Delegation urged further discussions on promoting the full use of IP flexibilities for Member States in a future session of the Committee. The database should be regularly and periodically updated. The Secretariat should continue its efforts to advance the content of the database as a resource for policy and lawmakers, IP experts and researchers to get to know how flexibilities could be implemented in national legislation. Currently, the database only contained 14 flexibilities in the patent area. The Delegation enquired as to whether the Secretariat had any plans to include flexibilities in other IP fields such as copyright and trademarks. Currently, the link to the database was only available on the DA webpage. The Delegation would like to know whether links could be included in other parts of the WIPO website to increase visibility.

248. The Delegation of Georgia, speaking on behalf of CEBS, took note of the document. The Group believed WIPO could play an important supportive role in undertaking various activities to ensure better circulation of information contained in the database. The Group supported the use of online means for disseminating information contained in the database, taking into account the environmental impact of paper leaflets.

249. The Delegation of Estonia, speaking on behalf of the EU and its member states, recalled that in previous CDIP meetings, they had found the database in question to enjoy modest use and a low rate of visitors. As described in the present document, the Secretariat had undertaken various activities during the past year to ensure better circulation of information contained in the database. The Secretariat had, among other activities, elaborated leaflets, improved the visibility and accessibility of the database, and disseminated information via social media. They supported the use of online means for disseminating information contained in the database, taking into account the growing importance of social media as well as the environmental impact of traditional leaflets. The figures provided in the document suggested that as a result of the Secretariat's work, the database page views had increased by seven-fold and unique views by nine-fold. This translated to approximately six page views and four unique views per day compared to the previous 0.9 page views and 0.4 unique visitors per day. This clearly showed that the work of the Secretariat had been fruitful.

250. The Delegation of the Russian Federation noted the importance of the database on flexibilities. It welcomed the work by the Secretariat on the dissemination of information contained in the database. There were good statistics and developments in this area.

251. The Delegation of China noted that the Secretariat had undertaken various measures to ensure a better dissemination of information contained in the database. The Delegation looked forward to further improvements, updates, extension and promotion of the content of the database by the Secretariat in order for it to serve as a reliable resource for policy and lawmakers, IP experts, academics and researchers to get to know how flexibilities could be implemented in national and regional laws.

252. The Delegation of Chile highlighted that Chile has participated in some activities reported in the document. These measures did not imply that work had been concluded. Efforts should continue in order to increase the visibility of flexibilities which contribute to a balanced IP system.

253. The Delegation of Switzerland, speaking on behalf of Group B, believed the insertion of a link to the database on the main DA page on WIPO's website was key to making the database more visible and accessible. The Group welcomed the activities conducted in order to increase awareness and understanding of relevant divisions with respect to the structure and content of the database. The Group was convinced that relevant WIPO staff were now aware of the database and were in a position to put it to good use in the Organization's activities. The new platform functioned well and allowed users to easily and quickly search for information. The activities listed in Annex 2 of the document had played a useful part in increasing awareness of the database. These measures had proven to be effective, as shown by the number of page views during the period September 2016 to August 2017. These numbers represented an impressive increase from the previous period, given that use of the database had risen from 310 to 2,207 page views and from 151 to 1,359 unique views. The Group encouraged the Secretariat to continue its efforts to promote the content of the database as a useful source of information for all Member States.

254. The Delegation of Oman stated that the database was important for exploring IP flexibilities. It could be used as a source of information for policy makers, lawmakers, IP experts

and researchers to get to know how flexibilities could be implemented in national and regional legislation. The database should also include flexibilities in other areas of IP.

255. The Delegation of Brazil stated that efforts made to improve the mechanism were a step in the right direction. This important topic had a long history in WIPO. It was directly linked to the core of the IP system which enabled countries to adapt the IP framework to their particular characteristics. The Delegation fully supported the establishment and continued use of the database to inform Member States. The database was currently restricted to patent-related flexibilities. It should be expanded in the future to include other types of IP.

256. The Delegation of Paraguay associated itself with the request by other delegations to broaden the database to include other forms of IP, not just flexibilities in the patent system. The information contained in the database should reach as many users in as many countries as possible.

257. The Delegation of Senegal, speaking on behalf of the African Group, highlighted that the database was useful for decision-makers, researchers and users. Measures taken to disseminate information contained in the database were encouraging. The information could serve as a source of information in the formulation of national and regional laws. The Group associated itself with the comments made by the delegations of the Islamic Republic of Iran and Brazil to extend the database to other aspects of IP and not just patents.

258. The Delegation of Switzerland, speaking on behalf of Group B, noted that the database currently contained 1,371 national legal provisions from 202 jurisdictions on 14 IP flexibilities. They were categorized for easy search. This enormous amount of information was made available to Member States and other users. Thus, before the Committee discussed any possible additional work of flexibilities, delegations needed to take a step back and reflect on the material that had been collected over the years.

259. The Vice-Chair invited the Secretariat to respond to the observations from the floor.

260. The Secretariat (Mr. Baloch) referred to the observations made by the Delegation of the Islamic Republic of Iran and other delegations on accessing the database. As mentioned by the Delegation of Switzerland on behalf of Group B, accessibility had improved through the link on the DA page on WIPO's website. There had been more hits. In addition, the Secretariat referred to document CDIP/19/10 on possible improvements to WIPO's technical assistance webpage. The document was presented by the Secretariat in the last session in response to the six-point proposal known generally as the Spanish proposal which sought to enhance the delivery of technical assistance by WIPO. The document included the Secretariat's suggestions to make information easily accessible on the website. The Secretariat was requested to implement the proposed improvements. Implementation was currently at a major stage. It would provide another impetus to the accessibility of the database. The Secretariat referred to the comment made by some groups for the Secretariat to rely more on electronic means and reduce paper leaflets for environmental reasons. It took note of the comment. The leaflet was currently available in electronic and paper form. The Secretariat would try to rely more on electronic means. With regard to the request to expand the database to other IP fields, the Secretariat stated that this was a matter for the Committee to decide. It could only implement decisions taken by the Committee.

261. The Vice-Chair closed the discussion on the document given that there were no further observations from the floor. The Committee took note of the information contained in the document.

AGENDA ITEM 7: CONSIDERATION OF WORK PROGRAM FOR IMPLEMENTATION OF ADOPTED RECOMMENDATIONS (RESUMED)

Study on the Use of IP in Colombia (document CDIP/20/INF/2) and Study on the Use of the IP System in the Central America and the Dominican Republic (document CDIP/20/INF/3)

262. The Vice-Chair invited the Secretariat to present the Study on the Use of IP in Colombia and Study on the Use of the IP System in the Central America and the Dominican Republic.

263. The Secretariat (Mr. Raffo) stated that the studies were undertaken in the context of the Project on IP and Socio-Economic Development - Phase II (document CDIP/14/7). The Secretariat introduced the Study on the Use of IP in Colombia. In 2014, the Colombian government requested participation in the aforementioned project. Between 2004 and 2008, Colombia devised a National Strategy on Intellectual Property (*Plan Estratégico Nacional de Propiedad Intelectual*, PENPI). This strategy redesigned the country's IP policy framework. In this context, the Colombian government required a country study to assess the outcomes of these and future reforms on the use of the IP system. From July 2014 to September 2017, WIPO conducted a country study in collaboration with the Colombian government. The main objective of the country study was to statistically assess the use of IP in Colombia and generate the technical capability to analyze the impact of IP policies. The study responded also to the specific technical demand for the development of economic and statistical tools to continuously monitor and assess the impact of IP and innovation policies. The study required coordination between several Colombian government agencies and WIPO. Colombia's Ministry of Foreign Affairs (*Ministerio de Relaciones Exteriores*) represented by the permanent mission in Geneva was the direct project counterpart in Geneva. The Industrial Property Office (*Superintendencia de Industria y Comercio*)(SIC) and the Copyright Office (*Dirección Nacional de Derechos de Autor*)(DNDA)) were the lead agencies for the technical execution of the project. The agency in charge of plant varieties in Colombia (*Instituto Colombiano Agropecuario*) (ICA) and the National Statistics Office (*Departamento Administrativo Nacional de Estadística*) (DANE) also provided data and technical support. Other relevant government agencies also provided comments during the execution of the study. The study was divided into four components. They included a review of the specific IP related policies put in place since the implementation of the PENPI in 2008; the creation of a comprehensive IP database for statistical use; the economic and statistical analysis of the use of IP; and the local mainstreaming of database maintenance and further analysis. The study formally began in July 2014, with a launch and fact-finding mission to Bogota, Colombia. The mission included an information sharing workshop with the participation of all the government agencies involved in the project. A work plan was established. Following the launch of the study, the main activities were to coordinate data access with the agencies, constitute the technical team including recruiting the local consultants, and produce the substantive work. The most daunting task was to coordinate with the national agencies in order to put their production databases together in the same place. It was agreed that the SIC was currently the best place to host the database. The gathering and processing of data was one of the most difficult tasks. It took around two years to develop the full process. The evolution of these activities was assessed in a mission to Bogota, Colombia in February 2016. The main purpose of the mission was the mid-study review, gathering all agencies involved, to comment on the implementation of the study and preliminary results. Following the mid-study review, the main activities were to coordinate the remaining data access, finalize the substantive work including the drafting of the report, and perform the external review. The study work was officially concluded with a mission to Bogota in September, 2017. The main purpose of the mission was to jointly present the results to the local audience and to discuss with the local partners the mainstreaming and future study activities. The Secretariat and its Colombian counterparts believed it was a success. However, there were challenges and lessons learned. It was important for these to be shared as they could be useful for other Member States. During the review of specific IP related policies, two

main challenges were encountered. First, given the amount and broad reach of the 38 policy recommendations, the review required interaction with many government agencies and several units within these. Second, most of the concrete policy implementation of these recommendations, either by nature or design, did not provide a quantitative indicator of its coverage (audience and span) or its assessed impact. These two challenges combined made it very difficult to establish a quantitative analysis of these and the use of IP. In designing future policies, it would be advisable to establish, whenever possible, some degree of quantitative monitoring of policy implementation. During the creation of a comprehensive IP database for statistical use, a main challenge faced concerned the typical mismatch between the IP data contained in the production databases of IP offices and the data needed for economic and statistical analysis. During the preparation of the economic and statistical analysis of the use of IP, the main challenge related to the IP data coverage of the underlying economic activities. The limitation of patent data to capture innovative activities was well-known and documented in the economic literature. The coverage of design and branding activity by industrial designs and trademarks was less known. Regardless, this was less of a problem because patent, industrial design and trademark data did cover most of the activity relating to the use of these systems. This was less the case for copyrighted work, where a substantial amount was not formally registered at DNDA. The assessment of the local mainstreaming of the study showed several potential challenges concerning the legacy and future of the study. The successful mainstreaming of the project would require the competences generated during the study implementation to be maintained. In this context, it was crucial for current technical partners and new stakeholders, such as those from other agencies or academia, to exploit the database produced during the study in future work. It was equally important for the methodology developed during the study and the technical competencies acquired by IP office staff and local consultants to be maintained or extended. The full study was currently only available in Spanish. A summary was included in the document under consideration. The Secretariat turned to the main results of the study. The use of IP in Colombia has increased during the period 2000-2016. This was the case for applications for patents, utility models, industrial designs, trademarks, copyright and plant varieties. More than 90 per cent of patent applications originated from non-residents, mostly from the United States, Germany, Switzerland, Sweden and France. Conversely, 92 per cent of utility model applications originated from residents. Almost two thirds of industrial design applications originated from non-residents. Almost 60 per cent of filings for trademarks and other forms of distinctive sign protection originated domestically. The voluntary copyright registration system was mostly used by nationals. The report also estimated the use of IP by economic sectors. As expected, the pharmaceutical sector was one of the active users of the patent system. However, it was interesting to find the mining and oil sector was also an active user in Colombia. The pharmaceutical sector was one of heavy users of trademarks. This was also observed in other studies conducted under this CDIP project. In comparison with other Latin American countries, the use of IP per 100 thousand inhabitants revealed that Colombia only led in the use of copyright and utility models. Colombia appeared to lag behind other countries in all other IP indicator, particularly patents and trademarks.

264. The Delegation of Colombia highlighted that Colombia was a country which promoted free competition. It recognized the contribution of the IP system to development and its importance for encouraging innovation, creativity, and competition. The CDIP dealt with important issues. As mentioned by the Delegation of Costa Rica in its opening statement on behalf of GRULAC, the Committee must continue to work towards the proper implementation of its mandate. The DA and the CDIP were created ten years ago. It was important for the Committee to continue with its efforts to make progress in the implementation of all the pillars of its mandate. The study under consideration was presented in Bogota in September. A summary was included in document CDIP/20/INF/2. It provided an overview of the various stages of the study and the main results with regard to the use of IP in Colombia from 2000 to 2016. A database was consolidated with reliable statistics. The challenge was to keep it up-to-date and to undertake

maintenance and data analysis activities. This type of initiative allowed Member States to develop public policies based on evidence and to improve the allocation of resources in order to achieve the SDGs. The study would be a relevant resource for the formulation of Colombia's national development plan for the period 2018-2022. It would be able to design better and more precise tools for strengthening the innovation system with a focus on actual needs. The study would contribute to a better understanding of the country's economy.

265. The Delegation of Brazil aligned itself with the statement made by the Delegation of Colombia. The Secretariat mentioned that one of the main challenges in Colombia concerned the gathering and processing of data. The Delegation enquired as to whether this was due to the lack of coordination among the agencies or outdated IT systems or both. The Delegation wanted to know because the IP office in Brazil lacked IT equipment to process all the necessary data.

266. The Delegation of Switzerland, speaking on behalf of Group B, welcomed the outcome of the study. It showed that IP databases could help to enhance transparency on IP use.

267. The Delegation of the Czech Republic noted that a high percentage of patent applications were filed by non-residents. In contrast, 92 per cent of utility model applications originated from residents. Eighty-nine per cent of applications for plant variety protection were filed by non-residents. The Delegation would like to know the reasons why most applications for patent and plant variety protection were filed by non-residents.

268. The Vice-Chair invited the Secretariat to respond to the questions and comments from the floor.

269. The Secretariat (Mr. Raffo) referred to the question put forward by the Delegation of Brazil. A similar study was conducted in Brazil. The challenge in Colombia concerned the gathering and processing of data due to the lack of coordination as well as IT systems. This was not because there was a lack of motivation for coordination. There was a very high degree of collaboration with Colombia during the project. It was also the case in Brazil. However, sometimes there were different levels of resources or skills. For example, some institutions did not have economists or statisticians. This sometimes made it difficult to collaborate and communicate on technical matters. The agencies also used different IT systems. Sometimes, the systems were incompatible. Certain data may also not be available. These issues could be resolved but more time and effort were required. The Secretariat referred to the question posed by the Delegation of the Czech Republic and stated that it could only provide a limited answer. In terms of patent filings, it was observed in many developing and Eastern European countries that there was disproportionate use of the system by foreigners. One of these reasons related to the national innovation system of a country. The level of innovation was not the same as the top countries in the world. However, some forms of innovation could be protected through utility models. The use of utility models varied across jurisdictions. The term of protection for utility models was shorter. However, an inventive step was either not needed or the requirement was lower compared to patents. Thus, some innovations could be protected through utility models even though they did not meet the requirements for patents protection. It was difficult to explain why more foreigners did not apply for utility model protection. They did not need to do so if they could apply for a patent. In other cases, it's probably because utility models were not widely used. For instance, residents of the United States of America filed the highest number of patent applications in Colombia. The United States of America did not provide for utility model protection. Hence, there would not be a request to extend a utility model filed at the USPTO because it did not exist. The Colombian study results for plant varieties was a surprise as they expected to find a lot of applications to protect local plant varieties such as coffee. There were some but not many. In Colombia, plant variety protection was mostly used for flowers. Most of the applications were filed by residents of the Netherlands. The Netherlands dominated that

market. Colombia was also a large exporter of flowers and products derived from flowers. That helped to partially explain the results.

270. The Vice-Chair invited the Secretariat to present the Study on the Use of the IP system in Central America and the Dominican Republic (document CDIP/20/INF/3).

271. The Secretariat (Mr. Raffo) introduced the study. In 2015, six countries in Central American region (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama) and the Dominican Republic requested to be part of the Project on IP and Socio-Economic Development – Phase II (document CDIP/14/7). The governments in the region had for decades pursued policies seeking greater regional integration. These include the regional economic integration of trade flows of goods and services and, more recently, the joint negotiation of trade agreements with major trading partners. The region had also increased the integration and harmonization of IP related matters, including the formulation of national IP strategies and participation in international IP treaties. In this context, the ministers in charge of IP matters in Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama and the Dominican Republic decided to support the initiation of economic analysis work on the relationship between IP use and commercial flows in the regional economic area. From July 2015 to July 2017, WIPO conducted a regional study in collaboration with the governments of these countries. The study's main objective was to support evidence-based IP policymaking in the Central American region. It attempted to answer two main questions. First, what characterized the use of the IP system in the region? Second, how did this relate to patterns of international trade? The empirical study was based on the development and analysis of a novel IP unit record database linked to available trade and other economic data from the region. The study responded also to the specific technical demand for the development of economic and statistical tools to continuously monitor and assess the impact of IP, innovation and trade policies in general, and the recently formulated national IP strategies in particular. The study required coordination between government agencies in each of the seven countries in the region and the Secretariat. The seven countries were represented in Geneva by their Missions and in each country by their national IP office. The study was divided into three main components, namely, the creation of a comprehensive IP and trade database for statistical use; statistical analysis of the use of IP; and an empirical analysis of IP use and trade integration. Work on the study work formally began in October 2015 with a kick-off meeting in Geneva with representatives of the Geneva based missions and the national IP offices. The meeting served to discuss and agree upon the main milestones of the study. Following the launch of the study, the main activities were to coordinate access to the IP data with each focal national point in the relevant government agencies, gather the trade data and conduct the empirical analysis. The study work's progress was jointly reviewed in a second meeting held in Geneva in October, 2016. Following the review, the remaining activities consisted of coordinating access to missing IP data, finalizing the research work and drafting the first full version of the study report. The draft study was presented in a regional meeting in April 2017 in El Salvador and in a meeting in Geneva with the representatives of the Geneva based missions. These meetings provided valuable feedback on the research work and helped improve the policy reach of its findings. A final review meeting took place in June 2017 in Geneva where the countries approved the presentation of the final study during the Fifth Central American Ministerial Meeting on IP held in Panama in July 2017. The regional study was generally implemented according to the initial scope and timeline established during its design. However, there were challenges during its implementation from which lessons could be extracted for future studies. There were two main challenges in the creation of a comprehensive IP and trade database for statistical use. The first concerned detailed coverage of bilateral trade. Data coverage was fair for flows of traded goods, but was significantly sparse for services trade flows. A second challenge concerned the state of IP collections across national IP offices. The data structure and completeness varied, reflecting differences in procedures and infrastructure. National collections of trademarks showed greater harmony, followed by patents, industrial designs and utility models. The most

incompatible collections pertained to copyright registrations, for which less collections were obtained and the data structures differed the most. The differences in data structure slowed the processing and harmonization of the data, but in the end most technical obstacles could be resolved. The difference in coverage and scope of the data also affected the statistical analysis of the use of IP and the assessment of IP use and trade integration. Resulting challenges were mitigated by varying the level and scope of analysis in accordance to available data. However, any future study on the topic was likely to face the same difficulties. Another set of challenges materialized in the empirical assessment of IP use and trade integration. The concordance between IP collections and trade data had methodological differences across types of IP. Trademark data based on the Nice Classification was more easily linked to trade data, while patent and utility model data based on the IPC classification was less so. For industrial designs based on the Locarno classification and copyright registrations, no off-the-shelf concordances with trade data existed. For these IP forms, the relationship between IP use and trade could only be performed at the aggregate level. The Secretariat turned to the main results of the study. The results were divided into two main sections. One was on the use of IP in the region. The second part was on trade and IP. On the use of IP, 95 per cent of patent applications were filed by foreigners. National inventors made little use of the patent systems in other countries of the region. Utility models had been an alternative for the region's inventors. They filed 61 per cent of the utility model applications. But in 85 per cent of the cases the protection remained domestic, with little regional and international use. Foreigners were the main users of industrial design protection in the region (81 per cent). However, the volume of use was much lower than for patents. Trademark protection was the most broadly used form of IP in the region, where domestic use (42 per cent) was at a similar level to foreigners (51 per cent). The United States of America was the main foreign origin of trademarks registered in the region (33 per cent). The United States of America was the main trade partner for the region. The region (excluding domestic use) was the second most important foreign origin of trademarks registered in the region (12 per cent). On trade and IP, the region's total volume of regional trade and specialization in goods with higher added value contrasted with the low use of patent and industrial design protection within the region. As utility models were mainly used domestically, they did not seem to have been effective for the commercial strategies of foreigners, including those within the region. On the contrary, the use of trademarks in the region had evolved. This was similar to the trend in international trade. An increase in trade correlated with a proportional increase in the use of trademarks in the region. The link between the use of trademarks and trade within the region was even more pronounced than the link observed for imports from outside of the region.

272. The Delegation of Indonesia stated that the study was interesting, particularly as it analyzed IP and trade data. The summary was informative. However, the Delegation would like to know more about the methodology for aggregating IP and trade data and to come up with a robust economic analysis. As indicated in the summary, some lessons were learned, including differences in the coverage and scope of IP data and trade data among countries in the region. The summary also stated that any future study on the topic was likely to face the same difficulties. The Delegation believed this problem would only be faced in regional studies. The Delegation referred to economic and trade integration, and the integration and harmonization of IP. It would like to know whether there was any correlation between these two variables, and if so, how strong was the correlation. This would help policymakers to decide on appropriate policies in these areas. The Delegation referred to trademarks and noted that the study mentioned that an increase in trade correlated with a proportional increase in the use of trademarks in the region. It would like to know in detail, how strong was the correlation between the increase in trademarks and the increase in trade in the region.

273. The Delegation of Switzerland, speaking on behalf of Group B, welcomed the analysis conducted on the relationship between IP use and commercial flows in goods and services in the regional economic areas. The study contained useful data that could be an important

source of information for decision-makers in the region to consider when formulating public trade and development policies. For example, the study collected data which demonstrated that an increase in trademarks positively correlated with international trade. The Group agreed with the general conclusion of the study that IP-related policies that supported free trade agreements, protected the intangible value of exported goods and services, and stimulated technological transfer, should be part of the public policies aimed at expanding the regional market, diversifying trading partners, and increasing the technological content of trade. Thus, IP-related policies should be a priority for joint actions in the region.

274. The Delegation of Brazil had two questions. As mentioned by the Delegation of Indonesia, the study indicated a positive correlation between trade and trademarks. The Delegation would like to know whether there was similar data for patents. It would also like to know the period that was covered in the analysis. The Delegation highlighted the need to be careful as correlation was not causation.

275. The Delegation of Guatemala stated that the study would be of great use in Guatemala as it would serve as a guide for future actions and policies in these areas. It hoped that a methodology would be developed to conduct a study on copyright in the near future as many countries in the region had creative industries.

276. The Delegation of Jamaica shared some of the concerns expressed with regard to data collection. It believed there were similar challenges in the Caribbean sub-region. As mentioned by some delegations, many other countries and regions shared similar challenges. Thus, it would be useful for the CDIP, through this process, to assist with streamlining the processes that countries could employ for collecting data for statistical analysis. This would be useful for future studies. As indicated in the study, there were great difficulties in collecting data on copyright and other areas of IP.

277. The Delegation of Brazil referred to one of the suggestions it had made during the discussion on IP and development. Any research related to IP and development produced by other WIPO sectors and divisions could be brought to the CDIP under that agenda item. This was an example of a study that could be shared under that item.

278. The Vice-Chair invited the Secretariat to respond to the questions from the floor.

279. The Secretariat (Mr. Raffo) referred to the question from the Delegation of Indonesia. The full version of the study contained detailed economic analysis. As requested by the seven countries, there was more emphasis on analyzing the use of IP because that was required before undertaking more sophisticated analysis in the future based on the data. The Secretariat referred to the difficulties in compiling. The same difficulties were likely to be found in other regions, particularly those with developing countries. The difficulties mainly related to differences in terms of IT systems as well as data structures and completeness. With regard to the correlation and the magnitude of the elasticity, the Secretariat stated that it did not have the full study at hand. However, it recalled that the elasticity was double for patents within the region than for the patents with the United States of America, the main trade partner. It was relatively high at around 0.6. This was based on estimation. There were some challenges because the existing methodologies to group trade flows did not work well in the analysis involving patent data. There were different elasticities for different countries and different types of goods. With regard to the question posed by the Delegation of Brazil on the period that was analyzed, the Secretariat stated that trade data for some of the early years of this century could not be found for some countries. In general, the analysis included around 16 years of data. Separately, the Secretariat highlighted that the studies conducted in Phase I and Phase II of the project merely scratched the surface. The databases that were created should be used by the countries concerned to obtain empirical evidence to assist policymakers. With regard to the

policy interpretation of the results, the Secretariat highlighted that the Office of the Chief Economist did not provide normative support to countries. The Economic and Statistics Division tried to establish patterns in the data which could inform policymaking. It did not include policy recommendations in our studies. In this study, it was observed that more use of trademarks correlated with more trade flows or vice versa, more trade flows correlated with more use of trademarks. Thus, the countries in this region that were observing an increasing pattern of international trade, should expect this to be associated with an increase in filing of trademarks, regardless of the causality. This was a direct implication. The study did not analyze the strength of the IP regime in each country. The regimes were assumed to be neutral. The Secretariat referred to the comment made by the Delegation of Guatemala on copyright and stated that the Economics and Statistics Division established a new section related to the creative industries. It was working to provide new tools for analysis. The Secretariat agreed with the comments made by the Delegation of Jamaica on similar challenges in the Caribbean countries, particularly in relation to copyright. The Secretariat would be available to discuss these topics with any delegation.

280. The Delegation of the Czech Republic referred to the following sentence in the summary of the study, “The relative specialization in primary or low value added products exposes the economies of the region to the volatility of international prices”. The Delegation would like to learn more about this in the future. Some countries that focused on the export of raw materials were experiencing economic problems. However, there were also other countries such as Japan who were facing a decrease in patent application. Thus, it would like to learn whether innovative or high value-added products were really protected from the volatility of international prices. Further work on this theme could be included in the future work of the Committee.

281. The Vice-Chair closed the discussions on the studies given that there were no further observations from the floor. The Committee took note of the information contained in the studies.

Mapping of International Fora and Conferences with Initiatives and Activities on Technology Transfer (document CDIP/20/12)

282. The Chair invited the Secretariat to introduce document CDIP/20/12 on the Mapping of International Fora and Conferences with Initiatives and Activities on Technology Transfer.

283. The Secretariat (Mr. Czajkowski) presented the document. The Secretariat referred to point 3 of the joint proposal by the delegations of the United States of America, Australia and Canada on activities related to technology transfer (document CDIP/18/6 Rev), and the request approved at CDIP/18 for the Secretariat to “undertake a mapping exercise of initiatives and activities currently taking place on technology transfer in other international fora, with a view to providing an update to the CDIP on the international fora and conferences where technology transfer is currently being discussed, as well as the role that WIPO can continue to play in this regard.” Document CDIP/20/12 included a non-exhaustive compilation of international fora and conferences with ongoing discussions on technology transfer. The compilation focused on intergovernmental fora and conferences of a global and regional nature within the UN system. The compilation was structured according to the name of the respective forum or conference and provided an indication of the coordinating organization, thematic focus, participants, link to technology transfer, a brief description, and activity rate of the forum or conference. The activity rate indicated the scheduling of ordinary sessions and did not include extraordinary sessions or intersessional work. WIPO monitored and engaged in numerous international fora and conferences on technology transfer, according to its mandate. WIPO engaged, in particular, with UN inter-agency processes relevant to IP and innovation. As a member of the UN Interagency Task Team on Science, Technology and Innovation (IATT) for the SDGs, WIPO

contributed to the work of the IATT in carrying out an ongoing process of mapping initiatives, mechanisms and programs within the UN system related to science, technology and innovation. It was following developments concerning the establishment of a technology facilitation mechanism online platform. WIPO likewise worked to promote greater awareness of its programs and services among existing and potential intergovernmental partners, so that these programs and services were effectively available and could be used for the achievement of shared objectives. Among other things, WIPO contributed factual information through a wide range of reports and publications on subject matter addressed by international fora and conferences on technology transfer. These publications include the Global Innovation Index, WIPO Patent Landscape Reports, Global Challenges Reports and Briefs, and the Overview on IP and Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions.

284. The Delegation of Estonia, speaking on behalf of the EU and its member states, highlighted that the topic of technology transfer was of central importance in ensuring balanced and sustainable development, enabling countries and stakeholders across the world to reap the benefits of innovation. With regard to the role that WIPO should take in this area, the EU and its member states reiterated their support for the joint proposal by the United States of America, Australia and Canada on activities related to technology transfer. Various aspects of the proposal were discussed in previous sessions. It continued to be discussed in this session. Although the compilation was non-exhaustive, it provided useful information to avoid duplication by WIPO and the CDIP in particular of the work already undertaken in other international fora. They fully supported WIPO's engagement in existing relevant fora and conferences on technology transfer, in accordance with its mandate. It was important for WIPO to strengthen its partnerships with other UN organizations, IGOs and NGOs on this important issue. The EU and its member states looked forward to further discussions on this matter to gain a comprehensive understanding on activities already undertaken by WIPO and other relevant organizations in the area of technology transfer, and to identify any gaps and practical needs for further work by WIPO. The documents prepared by the Secretariat formed a good basis for this discussion.

285. The Delegation of Switzerland, speaking on behalf of Group B, welcomed the fact that WIPO was engaged in various international fora and conferences with ongoing discussions on technology transfer in order to contribute to this topic by providing its know-how and to benefit from the additional experience of other stakeholders. The Group fully supported WIPO's engagement and technical contributions to the work done in the IATT established within the framework of the Technology Facilitation Mechanism, and in relevant meetings of major organs of the UN such as the General Assembly and the UN Economic and Social Council (ECOSOC). The Group took note of the document. WIPO should further promote its programs and services among existing and potential Intergovernmental partners so that these programs and services were effectively available and could be used for the achievement of shared objectives. The Group encouraged WIPO to strengthen its work to achieve these objectives.

286. The Delegation of Georgia, speaking on behalf of CEBS, reiterated its support for the joint proposal by the US, Australia, and Canada on activities related to technology transfer. The Group welcomed the use of modern channels to promote WIPO resources such as WIPO GREEN, WIPO Re:Search, use of dedicated websites, subscriber e-mail lists, and social media channels. The issue of technology transfers was a challenge. In their countries, there were often research and development infrastructures on relatively modest to higher levels. However, the interlinkages with industry and business in order to commercialize the R&D results needed to be supported and evolved. Therefore, the Group welcomed the attention and efforts devoted to this important issue.

287. The Delegation of Senegal, speaking on behalf of the African Group, stressed on the importance of technology transfer. It would assist developing countries to face IP-related challenges. The document included a lot of information on initiatives and activities currently

taking place on technology transfer in international fora and the role played by WIPO in that regard. Nevertheless, the Group believed more information could be provided in the document. For instance, it could include the manner in which different organizations dealt with the issue of how to undertake technology transfer and to what extent IP was involved in these activities. Therefore, the Group requested the Secretariat to undertake supplementary work to add to the information to provide a broader perspective.

288. The Delegation Brazil believed the topic of technology transfer opened many avenues to explore. The creation of IP rights, particularly the patent system, had been supported by sound economic theory. Innovation resulting from creative work had characteristics of public goods. Therefore, in the absence of IP protection, there was a risk of under investment in socially beneficial creative and innovative work. The patent system allowed market driven decentralized decision making which ultimately contributed to the creation and dissemination of technology and consequently an increase in standards of living. However, the system was not perfect, particularly in areas where the market alone may not provide adequate incentives, for instance, the cure of neglected diseases. It should be borne in mind that although IP was one of the tools available in the development of new technologies, they were not synonymous. The patent system was only a proxy of innovation, one that had to be evaluated on a case by case basis. The state of the art literature highlighted the development of new technologies hinged upon the establishment of an effective tailor-made IP law in tandem with other appropriate regulatory policies. Studies showed that the right balance and fine-tuning among these policies produced a positive correlation between R&D expenditures and innovation. Notwithstanding the great strides made by developing and least developed countries in the last decades to improve their innovation systems, high income countries still represented approximately 65% of total R&D investments in the world. In light of that, the CDIP could play an important role to bridge the gap between developed and developing countries, particularly by engaging in discussions on technology transfer. The Delegation believed the term “technology transfer” encompassed a whole host of mechanisms that went far beyond the licensing of patents. Thus, it was pleased to see that several initiatives and activities included in document CDIP/20/12 were aligned with that standpoint, in line with high level UN official documents. SDG 17.7 included the following, “promote the development, transfer, dissemination and diffusion of environmentally sound technologies to developing countries on favorable terms, including on concessional and preferential terms as mutually agreed”. This kind of language was across Agenda 2030. As a specialized UN agency, WIPO should fully align itself with that concept. Moreover, Articles 7 and 66.2 of the TRIPS Agreement should serve as a basis for the discussions in the CDIP. Article 66.2 included the following, “Developed country Members shall provide incentives to enterprises and institutions in their territories for the purpose of promoting and encouraging technology transfer to least-developed country Members in order to enable them to create a sound and viable technological base”. Recommendations 25, 28, 29, 30 and 31 of the WIPO DA should also be borne in mind. They all pointed in the same direction of highlighting the transfer and dissemination of technology in a manner conducive to social and economic welfare to the benefit of all countries without exception. Disagreement regarding a common definition for the term “technology transfer” should not prevent delegations from suggesting topics related to this matter to be explored under the agenda item on IP and development.

289. The Chair invited the Secretariat to respond to the observations from the floor.

290. The Secretariat (Mr. Czajkowski) stated that it would take all the comments made by delegations into consideration. The Secretariat referred to the suggestion by the African Group that the document could be further developed. The Secretariat would like to know whether this was something that other Member States would also like to be done.

291. The Chair noted that some delegations had made proposals. The Committee could consider them to see to what extent they could be included in the Chair’s Summary for this

session to ensure follow-up. Alternatively, the summary could mention that proposals were made by different delegations. The Committee could consider them at the next session. He would like to know the Committee's preference in this regard.

292. The Delegation of the United States of America stated that the document resulted from the joint proposal by the United States of America, Canada and Australian. The Delegation referred to the proposal by the African Group and would like to know what additional information could be added to the document. It already contained quite a bit of information, including the links to technology transfer, the description of the conferences in various fora and so on. The Delegation would like the African Group to provide a concrete example of information that was missing from the document.

293. The Delegation of Senegal, speaking on behalf of the African Group, stated that the document included a lot of pertinent elements. However, a fundamental aspect was not really covered, namely, the manner in which the different bodies dealt with the issue of transfer of technology. A further aspect that should be covered was the IP dimension within the different forms of technology transfer.

294. The Chair suggested that the Committee could focus on the proposal by the African Group.

295. The Delegation of the United States of America stated that it was still unclear what information was requested because a lot of these organizations and conferences were not involved in the task of technology transfer *per se*. They were not technology transfer organizations. They did not transfer technology. They discussed it and may develop some policies. The Delegation sought clarification from the Secretariat on whether it understood the task and what additional information would be provided.

296. The Secretariat (Mr. Czajkowski) stated that it also had some difficulty in understanding the proposal by the African Group. The document dealt with various *fora*, conferences that discussed technology transfer. The Committee would be discussing a document on technology licensing platforms. This was one example of what some UN organizations were doing. The mapping of the activities had already been done. There was an ongoing initiative in the UN to map all the activities that UN bodies were taking part in the development of technology transfer. Thus, the Secretariat was unclear as to what was being requested.

297. The Chair noted the lack of clarity on this issue. He suggested that the Committee could take note of the document and continue to examine this issue at the next session.

298. The Delegation of Brazil understood the African Group wanted to make sure that the concept of technology was not restricted to IP licenses. This was important for all countries. The concept adopted by the UN was much broader. Thus, the Committee must be careful not to restrict that concept. The proposal to gather information on all these fora was useful. The Delegation supported it. However, the concept should not be restricted to IP licensing. The UN had adopted a much broader concept. However, the Delegation did not see that as a problem in the document.

299. The Delegation of Senegal, speaking on behalf of the African Group, stated that it had no difficulty in adopting the document. It merely requested for supplementary information that would complement the document.

300. The Secretariat (Mr. Czajkowski) highlighted that the requested supplementary information could be very broad. Examining the manner in which bodies dealt with technology

transfer could involve an enormous amount of work. It would require looking at all the activities that the various UN bodies undertook in this regard.

301. The Chair suggested that the Committee took note of the report and the various points of view. This issue would be included in the agenda for the next session.

302. The Delegation of the United States of America noted that the document included links to the various bodies, events, conferences and other fora. Thus, if Member States would like additional information on how a particular body worked, they could go to the website. There was no need to copy all the information from the website and put it in a document that would be very difficult to read with all the additional information. The Committee did not need to return to this document. As requesters, the Delegation was satisfied with the document and additional information could be easily found. It was not sure what the Committee would discuss next time with respect to this document.

303. The Chair stated that the Committee could return to the issue of what international organizations did on technology transfer and look at possible developments with regard to these activities in the next session. The Chair enquired as to whether the summary he had suggested could then be agreed. It was agreed given that there were no objections from the floor.

Roadmap on Promoting the Usage of the Web Forum Established under the “Project on Intellectual Property and Technology Transfer: Common Challenges-Building Solutions” (document CDIP/20/7)

304. The Secretariat (Mr. Czajkowski) presented document CDIP/20/7. The Secretariat referred to point 4 of the joint proposal by the Delegations of the United States of America, Australia and Canada on activities related to technology transfer as originally submitted in document CDIP/18/6 Rev, and the request by the Committee for the Secretariat to “promote the usage of the web forum established under the ‘Project on Intellectual Property and Technology Transfer: Common Challenges-Building Solutions’.” The document contained a roadmap on how WIPO could promote the usage of the web forum. The web forum established under the said project was intended to be an online community with a specific focus on topics related to technology transfer, open collaborative innovation, and capacity building. A number of possible activities to further promote the Web Forum were described in the document for the consideration of Member States. They included carrying out an assessment of the target audience, developing a content strategy based on the assessment, establishing technology requirements to effectively implement the content strategy, developing a communications and promotion strategy to identify effective channels to reach segments of the target audience, and seeking partnerships with organizations that had established communities related to technology transfer.

305. The Delegation of Brazil referred to the challenges highlighted in the document. These included how to improve the function and design of the web forum, and how to make it more available in order to reach the target audience. The latter was a challenge faced by many international organizations and governments. Most of the time, information was available. However, it was sometimes hard to connect interested users with the information. The Delegation would like the Secretariat to elaborate on how this could be improved. It also requested the Secretariat to further elaborate on possible Action 1 and the second sentence of possible Action 2. The Delegation noted that it was mentioned in paragraph 6 that additional resources were expected to be necessary. It would like to know whether the Secretariat had prepared an estimate as well as the steps Member States would need to take if resources were not available in the current budget.

306. The Delegation of the Islamic Republic of Iran referred to possible Action 1. As mentioned in the document, the target audience of the web forum included different groups from government officials to technology managers. The target audience and the services demanded by it were likely to be diverse. As such, the assessment proposed in Action 1 could be a useful tool to better understand their needs and how to address them. The Delegation would like the Secretariat to elaborate on the methodology for carrying out the assessment.

307. The Delegation of Switzerland, speaking on behalf of Group B, generally welcomed the establishment of a plan for promoting the usage of the Web Forum. The Group supported the sequence and content of the steps suggested in the roadmap. It agreed that better linkage of WIPO's existing *fora* and platforms dealing with technology transfer was necessary and would increase accessibility to the information. However, the implementation of these activities should remain targeted and should not go beyond WIPO's mandate. WIPO should not create a duplication of similar existing *fora*, but promote a platform that would provide a useful compilation of other existing services and initiatives in the field of technology transfer. The Group would like the Secretariat to provide a status update at CDIP/21 or CDIP/22.

308. The Delegation of the Russian Federation was in favor of the proposal and its contents. The proposal included some important suggestions, for example, an assessment of the target audience. It was essential to develop a content strategy based on the assessment and user experience. It was also desirable to seek partnerships with organizations that had established communities related to technology transfer. In the implementation of the proposal, it would be useful to examine existing work programs. Resources required to implement the project should be made available.

309. The Delegation of Estonia, speaking on behalf of the EU and its member states, recalled it had supported the joint proposal by the United States of America, Australia and Canada with regard to promoting usage of the web forum in question. They agreed that the main tasks would be to attract and retain users from the target audience, and to foster interaction among and with these users. Although the demands of the target audience may vary, it should be possible to address their needs and achieve synergies. To achieve this, the content of the web forum should be relevant and dynamic. It should also be easy and convenient to use. They valued the Secretariat's efforts to try to identify existing communities, especially likes on Facebook and LinkedIn that could be leveraged in building a further online community. The EU and its member states also noted that the communication and promotion of the Forum could be expected to require additional resources if existing platforms and tools were found to be unsuitable. In this case, the use of resources and activities undertaken should ultimately support the aim of the web forum to gather feedback and to provide a forum for sharing experiences.

310. The Delegation of Georgia, speaking on behalf of CEBS, reiterated its support for the proposal. The project could attract and retain users from the target audience, facilitate interaction among them and achieve synergies. The Group believed that in order to achieve the goals, the relevant content of the web should be easily accessible through a user-friendly interface. Technology transfer was one of the challenges faced by countries in its region. Therefore, it appreciated the attention and efforts devoted to this important issue.

311. The Delegation of the United States of America supported the Secretariat's efforts to promote the usage of the Web Forum established under the IP and technology transfer project. The web forum could be a useful tool to address questions from policymakers, universities, research institutions, industry, IP experts and technology managers on questions and issues related to technology transfer. However, it did not seem to be used for its intended purposes at this time. The Delegation appreciated the proposed action plan in order to attract or retain potential web forum users, and to foster interaction with and among users. Adjustments to the

plan may be required depending on the results of the assessment and other factors. The Delegation trusted the Secretariat to find the best way forward. It would like the Secretariat to inform the Committee on progress at CDIP 21 or 22 as appropriate.

312. The Delegation of China supported the roadmap submitted by the Secretariat. The results of the DA projects must be used in a sustainable manner. They must play an effective role. The Web Forum was an important result of the Project on IP and Technology Transfer: Common Challenges-Building Solutions. Currently, the forum was at a preliminary stage. Work should continue on its development. Supplementary content should be included and more users should be attracted to take part in the forum. This would assist in reaching the expected results and facilitate the exchange of information among Member States on transfer of technology.

313. The Delegation of Australia believed the document mapped a logical process that took a systematic approach to the development and promotion of the technology transfer Web Forum. This approach would lead to a targeted and sustainable platform that would address the needs of users. Thus, the Delegation supported the approach proposed in the six possible outcomes outlined in the document. If the approach was endorsed by the Committee at this session, it was important for the Secretariat to be able to undertake these activities and continue to inform Member States on progress as appropriate. It may be ideal for an update on this work to be presented at CDIP/22.

314. The Delegation of Chile made some comments on the proposal. First, it would be useful for the Secretariat to draw up a schedule in order to estimate how long it would take to implement the proposal. Second, the Delegation joined other delegations in requesting the Secretariat to elaborate on implementation costs and additional resources. Third, the Delegation would like to know about the specific objectives of the Secretariat and the methodology that could be used to measure the effectiveness of these measures.

315. The Chair requested the Secretariat to respond to the questions and comments from the floor.

316. The Secretariat (Mr. Czajkowski) stated that the document was drafted in close cooperation with the Communications Division. The Division provided an expert view on how to approach this issue. The most important aspects that were mentioned included attracting and retaining users, and the need for the forum to be easily accessible. An initial assessment of the actual target audience was required in this regard. Paragraph 2 of the document provided an indication of the different types of audience that may be interested in technology transfer. It was important to know who they were actually targeting in order for the forum to be made as attractive as possible. That was the objective of the assessment. The methodology would be developed in cooperation with the Communications division. The phrase in possible Action 1 on "offerings valued by the target audience" referred to the specific interests of the target audience. It may be that there were already other *fora* in this area that the forum should not compete with. As mentioned by some delegations, the Secretariat should not duplicate anything that already existed. A content strategy was required and it would be developed with experts. A methodology would be developed to find out what the target audience wanted. The Secretariat noted that all delegations that took the floor were in favor of continuing the development of this approach. The Secretariat had not yet prepared a cost estimate but there would clearly be a need for additional resources to implement the roadmap. Lastly, the Secretariat referred to the request by the Delegation of Brazil for clarification on the second sentence of possible Action 2, "The content strategy could identify specific types of professionally generated content to be produced for the web forum and user-generated content to attract to the web forum as well as the linkages between these types of content". The Secretariat explained that this was to see

what the target audience was interested in, and to create links between the audience and the actual content.

317. The Chair closed the discussions on this item given that there were no further observations from the floor. He suggested that the Committee took note of the information contained in the document. The issues raised would continue to be discussed at the next session. The proposed summary was agreed given that there were no objections from the floor.

Discussion on Point 5 of the Joint Proposal by the Delegations of the United States, Australia and Canada on Activities Related to Technology Transfer (Annex I of document CDIP/18/6 Rev. and document CDIP/20/10 Rev)

318. The Chair invited the Secretariat to introduce document CDIP/20/10 Rev. on a Compilation of Technology Exchanges and Licensing Platforms.

319. The Secretariat (Mr. Czajkowski) presented the document. The Secretariat recalled that item 5 of the joint proposal by the delegations of the United States of America, Australia and Canada submitted at CDIP/18 was not approved. In order to continue discussions on item 5, CDIP/19 requested the Secretariat to “prepare a compilation of existing national, regional and international technology exchange and technology licensing platforms, as well as of challenges related thereto, facing in particular developing countries and LDCs”. Document CDIP/20/10 Rev. contained a non-exhaustive compilation of existing national, regional and international technology exchanges and licensing platforms, focusing on exchanges and licensing platforms administered by governmental or intergovernmental organizations and open to multiple technology providers. For each reviewed exchange or licensing platform, a description of its objectives and organizational framework as well as a summary of its key features were provided. The document also included a special section on notable platforms under development, including the Global Innovation Exchange being developed within the framework of the UN interagency Technology Facilitation Mechanism (TFM) launched as part of the 2030 Agenda for Sustainable Development. An in-depth technical assessment report in June provided relevant and complementary information on the actual state of technology exchanges and licensing platforms, as well as the challenges and costs involved in establishing the TFM online platform, “an international online platform capable of not only being a scientific and technical knowledge repository but also a matchmaking and transactional service.” The current document also discussed the challenges faced particularly by developing countries and LDCs in establishing and maintaining technology exchanges and licensing platforms. Technology exchanges and licensing platforms required significant resources on the part of administering organizations to operate effectively. These included technical resources such as hardware and software as well as human resources to fulfill roles such as platform development and administration, customer service and support, business management and development, marketing and communications, and legal services. Such resources and services were often scarce in developing countries and LDCs. Operating and using technology exchanges and licensing platforms also required reliable infrastructure, notably in terms of internet connectivity. The document indicated some of the existing infrastructure obstacles. The sources quoted in the document also pointed to a shift in the obstacles to using online platforms in developing countries and LDCs from infrastructure (lack of access to computers with internet connectivity, cost of internet access, and poor quality grid-based electricity) towards infrastructure and capacity (internet speed and quality and difficulty in finding relevant resources). Technology exchanges and licensing platforms were intended to foster transactions among suppliers and consumers of technology. This required financial resources and an enabling environment, including IP policy and legal frameworks.

320. The Delegation of Switzerland, speaking on behalf of Group B, took note of document CDIP/20/10 Rev. The list provided an interesting overview of some existing platforms and could serve as a useful source of information for Member States. Although the list was not exhaustive, some additions would be valuable. At the last session, some Member States showed an interest in submitting additional information to the Secretariat on their national technology transfer platforms, including case studies describing possible success stories. The Group sought clarification from the Secretariat on whether this opportunity was provided to Member States. If not, the document would benefit from the contributions and should be revised for the next session. In general, the list could be useful for Member States who may want to explore the possibilities of creating national technology licensing platforms. Thus, the information contained in the document should be made available on the WIPO webpage devoted to technology transfer. The work undertaken by the Secretariat under item 5 provided useful examples of how WIPO could find synergies with existing resources to facilitate innovation and technology commercialization. It could be a good basis for discussions on further work under this point.

321. The Delegation of Estonia, speaking on behalf of the EU and its member states, considered the information provided to be extremely useful in providing an overview of the situation and informing WIPO's work in this area. A relatively large number of national, regional and international platforms were covered in the non-exhaustive compilation. Of the five relevant regional networks and platforms covered in the compilation, two were located in Europe and hosted by the European Commission. This indicated the importance attached by the EU to the issue of technology transfer. The EU and its member states took note of the various challenges related to technology transfer and licensing platforms identified in the document. These challenges posed particular difficulties for developing countries and LDCs.

322. The Delegation of the United States of America reiterated that a comprehensive study on existing national and international platforms and other approaches to facilitate technology licensing would be useful for Member States and other stakeholders, and would contribute to the body of information in this area. Although the list of platforms in the document was non-exhaustive, it was aware of some additional platforms that could be added to the list. For example, the database of available technologies maintained by the Federal Laboratory Consortium (FLC) in the United States. The Delegation would be happy to provide the Secretariat with the links to that platform. This and other information such as case studies and success stories would be useful for Member States and other stakeholders. Thus, the Delegation would like the Secretariat to update the document with additional information and where possible, provide additional details on the platforms already listed in the document. Before the next session, it would also like to the Secretariat to solicit inputs from Member States on their national experiences, challenges and success stories, if any, in creating and using such platforms. When such information was gathered and a comprehensive document was created, it should be easily accessible from the WIPO technology transfer web page.

323. The Delegation of China noted that the document provided Member States with information on existing national, regional and international technology exchanges and licensing platforms. The Chinese Government had always committed to promoting the commercialization of innovation and patented technology. In recent years, it had started building an IP utilization system, establishing a nationwide IP utilization public service platform to provide support for IP commercialization, acquisitions and transactions. This fostered commercialization activities related to patent technology transfer and licensing. The Delegation hoped there would be opportunities to hold discussions with Member States on this matter.

324. The Delegation of Georgia, speaking on behalf of CEBS, reiterated its support for the joint proposal. The information contained in document CDIP/20/10 Rev. was extremely useful. The

Group took note of the challenges identified in the document and was interested to continue discussions in this regard.

325. The Delegation of Indonesia noted the challenges that were outlined in the document. It may not be efficient for developing countries to maintain technology exchanges and licensing platforms due to the need for significant technical and human resources. A poor enabling environment was listed as one of the challenges to fostering transactions among suppliers and consumers of technology. The Delegation highlighted that this was just one of the variables with regard to the challenges faced by developing countries in this regard. The document did not state whether or not this was an important variable when compared with other variables. With regard to item 5 of the joint proposal, the Delegation agreed that it was interesting to examine a market-based approach to facilitate innovation and commercialization. However, it could only approve that if it was implemented through analysis and deeper study on the royalty rates sought in licensing agreements in the field of information and communication technologies, pharmaceuticals and environmentally sound technologies, and the challenges therein; a compilation of studies on anti-competitive provisions that may be found in licensing agreements; the policy options utilized by developed countries; and the possibility to make publicly funded research publicly available.

326. The Delegation of Australia believed the list assembled by the Secretariat provided a good list of platforms for facilitating the exchange of technology and licensing. The information and the number of platforms showed the diversity of the approaches, the audience, and the geographic distribution of these platforms. To capture as many of these technology transfer and exchange platforms as possible so as to provide a comprehensive resource, the Delegation proposed that the Secretariat could develop a survey for the consideration of Member States, perhaps similar to that proposed by the Delegation of the United States of America. Through a survey, Member States could inform the Secretariat of additional platforms which could facilitate technology exchange and licensing. The proposed survey would then be returned to the Secretariat and its information could potentially be merged in the existing compilation. Ultimately, and in line with the statement by Group B, the whole compilation and its information could be made available as a resource on the technology transfer web page hosted by WIPO.

327. The Delegation of Japan supported the statement made by the Delegation of Switzerland on behalf of Group B. Document CDIP/20/10 Rev. outlined a technology transfer platform provided by the Japan Science and Technology Agency (JST). In Japan, there was another technology transfer platform called the Patent Licensing Information Database. It was provided by the National Center for Industrial Property Information and Training (INPIT). The database was an open system in which anyone could register Japanese patent license information. The Delegation continued to support the joint proposal by the delegations of the United States, Australia and Canada on this agenda item. In general, the proposal would enhance WIPO's activities on technology transfer, making them more effective and efficient.

328. The Delegation of Canada stated that the overview of the range of national, regional and international technology exchanges and licensing platforms provided a valuable basis for discussion, particularly with a view to considering the role that WIPO could play. The Delegation took note of the overview of platforms in document CDIP/20/10 Rev. such as the ongoing work on the TFM online platform as well as WIPO's own technology marketplace initiative under WIPO GREEN. In this regard, the Delegation noted that its IP office had signed a Memorandum of Understanding with WIPO GREEN on October 6, 2017, an initiative that aligned with Canada's own technology plan for a green growth future. Going forward, the Delegation was particularly interested to hear more about the various national, regional and international platforms discussed in document CDIP/20/10 Rev. as well as those that were left out of that document. In line with the statements made by the delegations the United States of America, Australia and Switzerland on behalf of Group B, the Delegation would be interested in

and encouraged discussion by Member States on their experiences and best practices with regard to technology licensing and exchange platforms, possibly under the newly created standing agenda item on IP and development. Given the range of platforms outlined in the document, there was a lot that could be learned. The Delegation would also be interested in further discussions on the challenges experienced by Member States in respect of these platforms. Document CDIP/20/10 Rev. noted in its final section that there were often cost, resource, infrastructure and capacity related obstacles in establishing, operating and using such platforms, particularly for developing countries and LDCs. Further discussion on these factors would be valuable for all.

329. The Chair invited the Secretariat to respond to the observations from the floor.

330. The Secretariat (Mr. Czajkowski) welcomed the possibility to carry out a survey to ask Member States about additional platforms and to merge them into the document, making it available on the technology transfer website.

331. The Delegation of Brazil stated that document CDIP/20/12 was a comprehensive exercise on the compilation of international fora and conferences. It was also non-exhaustive. Thus, it should not be a problem if other initiatives were not included in the document. It should be kept like that as it was already very productive and in line with the UN concept of technology transfer.

332. The Delegation of Indonesia would like more details to be provided on the kind of survey that should be carried out. A concrete proposal should be put forward in this regard. The Delegation aligned itself with the comment made by the Delegation of Brazil that this was a non-exhaustive document and it already provided a perspective on various licensing platforms. The Delegation was interested to further explore the challenges mentioned in the document as they indicated that it may not work in every country. Perhaps it only worked in countries that had attained certain levels of development. The Delegation would like those challenges to be further examined to enable developing countries to mitigate them if they decide to implement licensing platforms. The Delegation reiterated that it would also like to see a deeper analysis of the royalty rights sought in licensing agreements, especially in the field of information and communication technologies, pharmaceuticals and environmentally sound technologies, as well as the anti-competitive provisions that may be found in licensing agreements.

333. The Delegation of the United States of America believed it was not a big task to ask Member States through a circular or survey whether they had a national platform and to provide the link to that platform. Member States could also be asked to describe how the platform worked and to share success stories, if any. The Delegation thought this could be useful. However, it would not insist on that if Member States did not feel there was a need to supplement the document with additional information that Member States already possessed. Moreover, it would also not be in favor of doing the studies mentioned by the Delegation of Indonesia as they were not related to item 5 of the joint proposal which was clearly formulated. It was fine if Member States did not want to expand the document, although the Delegation did not understand why they did not want additional information that some Member States already had.

334. The Chair stated that the central issue was the adoption of item 5 of the joint proposal. There were two approaches to this matter. The Committee could adopt it and return to the issue in the next session to continue considering it in greater depth and breadth. Alternatively, the Committee could adopt item 5 after further consideration at the next session.

335. The Delegation of Indonesia reiterated that in principle it did not have any serious disagreement with item 5 of the joint proposal. However, it would like to see the full picture. Success stories were good but the not so successful stories also had to be understood in order

for the same mistakes to be avoided. The Delegation may be flexible to adopt item 5 if it was more balanced. There should also be some analysis of the challenges. The Delegation may be flexible on the language in this regard. The Delegation was not in the position to adopt item 5 of the joint proposal if the Committee could not discuss how to move forward.

336. The Delegation of Brazil referred to the comments made by the Delegation of the United States of America and stated that it was interested to learn more about the technology transfer experiences of developed and developing countries. However, as document CDIP/20/12 was non-exhaustive and it was a good document, perhaps it should not be done here. It could be done under the agenda item on IP and development in the next session.

337. The Delegation of the United States of America made a concrete proposal on the summary for this item. The Committee could simply take note of the document and consider item 5 addressed.

338. The Chair enquired as to whether delegations could agree to the summary proposed by the Delegation of the United States of America.

339. The Delegation of Indonesia stated that it could agree to take note of document CDIP/20/10 Rev. However, the Delegation would need to consider whether item 5 of the joint proposal had been addressed. The summary could be silent on item 5. Alternatively, the Committee could return to it later.

340. The Chair proposed that the Committee return to item 5 of the joint proposal at the next session. Taking into account the requests made by various delegations, the Secretariat could provide information on platforms which were not mentioned in the document. To the extent possible, the Secretariat could also provide further information to assist the Committee to take a full approach. The Committee could take note of the information contained in the current document. The adoption of item 5 would depend on further discussions at the next session. This was agreed given that there were no objections from the floor.

341. The Chair resumed discussions on item 5 of the joint proposal after the lunch break. He recalled the decision taken in the morning on this item and informed the Committee of two developments. First, the Chair previously understood that the Delegation of the United States of America had proposed that the Committee take note of the report submitted by the Secretariat. However, he had misunderstood. The Delegation actually proposed that the Committee take note of item 5 of the joint proposal. Second, the proponents of the joint proposal, namely, the delegations of the United States of America, Canada and Australia, were no longer going to insist on item 5 of the joint proposal. They proposed that the Committee could just take note of the document submitted by the Secretariat. They withdrew their proposal for the Committee to adopt item 5. Thus, the decision taken by the Committee before lunch required amendment. The Chair suggested that the Committee took note of the document submitted by the Secretariat and concluded the discussion on item 5 of the joint proposal.

342. The Delegation of the Islamic Republic of Iran sought clarification on the Chair's suggestion. The Delegation recalled that the proposal by the Delegation of the United States of America to conduct a survey was not agreed. The Committee agreed to take note of the document submitted by the Secretariat. However, the Delegation understood that the Chair now proposed that the Committee took note of item 5 of the joint proposal, and not the document submitted by the Secretariat.

343. The Chair highlighted that the joint proposal by the three countries included 6 points. Item 5 was discussed at the last session and during the current session. The Committee had not been able to achieve consensus on the adoption of item 5. The proponents of the joint

proposal decided to withdraw item 5. Thus, in order to take into account this new position, the Chair suggested that the Committee would just take note of the document submitted by the Secretariat and close the discussion on this issue. This was agreed given that there were no objections from the floor.

Promotion of WIPO Activities and Resources Related to Technology Transfer (document CDIP/20/11)

344. The Chair invited the Secretariat to introduce document CDIP/20/11 on the Promotion of WIPO Activities and Resources Related to Technology Transfer.

345. The Secretariat (Mr. Czajkowski) presented the document. The Secretariat referred to point 2 of the joint proposal by the delegations of the United States of America, Australia and Canada on activities related to technology transfer (document CDIP/18/6 Rev.) and the request by the CDIP for the Secretariat to “provide a roadmap on how WIPO will continue to promote awareness of existing WIPO resources in the area of technology transfer to policy makers, practitioners, and research institutes to ensure broader understanding of the issues.” Document CDIP/20/11 provided an overview of the means by which awareness of WIPO activities and resources in the area of technology transfer was being promoted. These included the general promotion by the Organization and its components which dealt with technology transfer, including the Patent Law Division, Regional Bureaus, Access to Information and Knowledge Division, SMEs and Entrepreneurship Support Division. This also included a webpage on “Supporting Technology and Knowledge Transfer” on the WIPO website. They were further promoted through WIPO’s social media channels including its Facebook, LinkedIn, and Twitter accounts, as well as through general presentations on WIPO and its activities given at selected events. Technology transfer and related subject matter was covered in awareness-raising events such as workshops and seminars, as well as through IP education and training programs by specific WIPO sectors. Technology transfer was among the agenda items discussed on a regular or *ad hoc* basis in the WIPO Committees, such as the Standing Committee on the Law of Patents (SCP). The work being carried out by committees was communicated to the public through meeting documents available through a searchable database on the WIPO website. Technology transfer was supported by a range of partnerships between WIPO and other UN organizations, intergovernmental organizations, and non-governmental organizations. Partnerships were promoted through dedicated webpages on the WIPO website and websites of partner organizations, videos, and publications. Technology transfer was the principal or secondary subject matter of numerous publications, including guides, reports, compilations, and informational webpages. These publications were made available to the public through a searchable publications database on the WIPO website. They were also promoted in specific cases through press releases on the WIPO website, and through selected media outlets, launch events, side events, awareness-raising and training events, and expert presentations. Promotion also took place through specialized resources, including multi-stakeholder platforms and databases such as WIPO GREEN and WIPO Re:Search. Technical assistance activities related to technology transfer included advisory services such as those delivered through expert missions. Technical assistance activities were brought to the attention of target audiences through consultations with stakeholders. The document also included a separate section with a detailed list of activities and resources according to type, indicating their target audience and the responsible program within WIPO. WIPO would continue to increase awareness of its existing activities and resources in the area of technology transfer with a view to ensure a broader understanding of the issues. WIPO would continue to use a range of channels to address different target audiences, building on collaboration between different programs internally and with external partners to ensure effective promotion of its activities and resources related to technology transfer.

346. The Delegation of Estonia, speaking on behalf of the EU and its member states, fully agreed with the Secretariat that effective promotion of WIPO activities and resources in the area of technology transfer required different approaches according to the nature of what was being promoted as well as its target audience. It was evident from the document that a wide range of means of promotion were used. In addition to addressing the topic in WIPO Committees, technology transfer and related subject matter was covered in awareness raising events and was the subject matter of numerous publications and online materials made available to the public. The EU and its member states welcomed the use of modern channels to communicate and promote WIPO activities and resources such as WIPO GREEN and WIPO Re:Search, and particularly the use of dedicated websites, subscriber e-mail lists and social media channels such as Facebook, LinkedIn and Twitter. They urged WIPO to continue its awareness raising work, taking advantage of the wide range of channels to address different target audiences. They also welcomed the revamped matchmaking tool of WIPO Match.

347. The Delegation of Georgia, speaking on behalf of CEBS, welcomed the use of modern channels to promote WIPO resources such as WIPO GREEN and WIPO Re:Search, and particularly the use of dedicated websites, subscriber e-mail lists and social media channels. It was pleased to see the developments and urged WIPO to continue its awareness raising work in this regard.

348. The Delegation of Indonesia welcomed WIPO's continued activities to promote awareness of existing WIPO resources in the area of technology transfer among policymakers, practitioners and research institutions to ensure a broader understanding of the issues. Technology transfer continued to be promoted through the inclusion of technology transfer issues in the agenda of WIPO bodies such as the SCP. It was also promoted through awareness raising, training, seminars, publications and specialized programs such as WIPO GREEN and WIPO Re:Search. As this was also a development issue, WIPO's activities on technology transfer could be made more visible on the Organization's website through a link or included in the webpage dedicated to the WIPO DA or SDGs.

349. The Delegation of China highlighted that technology transfer had become a very important and influential factor for innovation as globalization and the technological revolution gathered pace. It was also a very important means to support innovation and promote sustainable development. The document was informative and showcased the activities and services provided by WIPO on technology transfer. It was helpful for policymakers, research institutions and innovators to better understand how to use WIPO's current resources on technology transfer. The Delegation hoped WIPO would continue to promote different tools for technology transfer such as WIPO GREEN. It also looked forward to more information and services provided by the TISC networks to promote technology transfer.

350. The Delegation of Switzerland, speaking on behalf of Group B, took note of the document. The work done by WIPO in this field was very useful and many of its activities had a successful track record. The Group highlighted the importance of the IP framework in enabling business environment for technology transfer as well as awareness raising and various training programs on that topic. Multi-stakeholder platforms and databases such as WIPO GREEN and WIPO Re:Search played a significant role in linking the actors of the innovation and technology transfer process such as academia, civil society, government representatives, industry, intergovernmental organizations, research institutions, universities and the general public. The Group supported WIPO's promotional activities related to these platforms. The activities listed in the document were important. The Group encouraged the Secretariat to continue its work in order to increase awareness of existing WIPO activities and resources in the area of technology transfer, including the work of Committees, awareness raising and training programs, events, partnerships, publications, specialized resources, technical assistance activities and projects, with a view to ensure a broader understanding of the issues.

351. The Delegation of Australia viewed WIPO's contribution to promoting technology transfer as an important initiative. The document illustrated the cross-cutting nature of technology transfer within WIPO's work and the commitment the Organization had made to promote technology transfer. 106 awareness raising activities, training programs and events had been undertaken in 2016 and 2017 across eight of WIPO's programs, some of which Australia had supported via its FIT. It welcomed the twelve guides and reports that WIPO had produced to address the needs of Member States in the area of technology transfer as well as the information web pages, specialized resources and partnerships that WIPO had developed for the benefit of Member States. The Delegation supported WIPO's continued work in the important area of technology transfer and welcomed further updates on relevant initiatives as deemed appropriate by the Secretariat and Member States.

352. The Delegation of the Czech Republic supported all the activities of WIPO and the Secretariat in the important field of technology transfer. Excellent research was conducted in the Czech Republic. However, it lacked people with experience on knowledge and IP management. Thus, the Delegation would like WIPO to focus more on this issue in its training activities. IP management was not only about the legal aspects of the transfers. It was not only about licensing. It also included the management of intangible assets within public research organizations, universities, industries, businesses and companies.

353. The Chair invited the Secretariat to respond to the observations from the floor.

354. The Secretariat (Mr. Czajkowski) took note of the suggestion by the Delegation of Indonesia to make the technology and knowledge transfer pages more visible. It also took note of the suggestion by the Delegation of China that the TISCs should be more involved in technology transfer activities. With regard to the comment made by the Delegation of the Czech Republic on providing more training on knowledge and IP management, the Secretariat highlighted that these areas were being addressed through the DA project on technology transfer which was approved in the previous session.

355. The Chair closed the discussion on the document given that there were no further observations from the floor. The Committee took note of the information contained in the document and encouraged the Secretariat to continue the promotion of WIPO activities and resources related to technology transfer.

Follow-up on the Pilot Project on Intellectual Property (IP) and Design Management for Business Development in Developing and Least Developed Countries (document CDIP/20/4)

356. The Secretariat (Ms. Rizo) introduced the document. Following a proposal by the Republic of Korea, CDIP/12 approved the "Pilot Project on IP and Design Management for Business Development in Developing and Least Developed Countries". Argentina and Morocco were selected as beneficiary countries. The delivery of technical assistance to selected companies in these countries began in late 2014 and ended in December 2016. A project evaluation report was considered by the CDIP in the last session. After the consideration of the evaluation report by the CDIP, the Chair concluded the following in his summary, "The Committee took note of the [Evaluation Report]. The Committee recommended a phase II of the project. The Secretariat was allowed flexibility to assess the feasibility of implementing the activities either as phase II of the project or as part of the regular work of the Organization. The Committee requested the Secretariat to report back to the next session concerning its decision of implementation of the phase II". The report was contained in document CDIP/20/4. The Secretariat was guided by three principles in devising the follow-up to the project. First, the need to monitor the longer-term impact of the project. With regard to the effectiveness of the pilot project, the evaluation report stated *inter alia* that it took time before capacity building

translated into measurable effects. The follow-up action would be to develop an evaluation framework designed specifically to assess the longer-term impact of the project. This would be done subject to the agreement and cooperation of the two pilot countries, namely, Morocco and Argentina. Second, the need to leverage experience gained from the project. This could be done by converting the methodologies, tools, documents and other relevant materials created during the pilot project into an accessible resource set, for example, a manual or a dedicated set of web pages. Third, the need to ensure that any expansion of the project was realistically scalable. In light of the evaluation report's positive assessment of various aspects of the project, those aspects would be mainstreamed into the regular capacity building and technical assistance work of the Secretariat. Countries that wished to replicate the project could express their interest to the Secretariat and it would be included in the Secretariat's work plans as part of its regular work.

357. The Delegation of the Republic of Korea hoped the follow-up activities would be discussed in a constructive manner in this session, and would run smoothly in the future.

358. The Delegation of Georgia, speaking on behalf of CEBS, took note of the document. The Group understood that it was important to monitor the long-term impact and use of the evaluation framework designed to assess the long-term impact of the project. The use of the methodologies and tools could be expanded beyond the two beneficiary countries to benefit other countries as well. The methodologies, tools, documents and other relevant materials could be used as reference material by all interested Member States.

359. The Delegation of the Russian Federation noted that the document referred to important principles. These included the need to monitor the longer-term impact of the project, and to leverage the experience gained from the project. These were important principles and should be used in all projects. The Delegation supported the Secretariat's proposals, in particular, the incorporation of project activities into the regular work of the Secretariat. It also supported the creation and making available of a standard set of resources which could be used by any interested country or organization as reference material in the future. This would increase the number of beneficiaries of the project and leverage the experience gained from the project.

360. The Delegation of Switzerland, speaking on behalf of Group B, supported the suggestion of the Secretariat that in order to proceed with the implementation of the project in any other country, there was a need to monitor the long-term impact of the first phase of the project, to carefully study the lessons learned, and to ensure that the expansion of the project was realistic and would lead to the desired outcome. As correctly pointed out in the document, in most cases, it was not possible to measure the impact of a project immediately after its implementation. Thus, the proposal to create an evaluation framework to assess the longer-term impact of the project was a good way forward. These results would serve as a good basis for future analysis and lessons learned which should be integrated in any potential follow-up project. The Group also welcomed the activity to convert the methodologies, tools and documents created during the course of the project into a conveniently accessible standard set of resources. This would allow any party interested in replicating the project to profit from the experience of the pilot countries and to integrate this experience into their country context. The Group agreed with the Secretariat's suggestion to mainstream the project activities into the regular awareness and capacity building work of the Secretariat. It encouraged the Secretariat to benefit from the existing know-how of the project management team to adopt the lessons learned from the project in their regular capacity building work.

361. The Delegation of Argentina highlighted that the participation of Argentina as a pilot country in the project was very satisfactory and positive. The three components proposed by the Secretariat in document CDIP/20/4 to follow-up on the project were very relevant, in

particular, the creation of an evaluation framework to assess the longer-term impact of the project would be very useful and beneficial.

362. The Delegation of Estonia, speaking on behalf of the EU and its member states, agreed with the Secretariat that in order to inform its decisions on future evolution and sustainability of the project, it was important to monitor its long-term impact, including how successful the exit strategy had been and the extent to which progress in the beneficiary countries could be sustained at the national and company levels. Thus, the idea of an evaluation framework designed to assess the long-term impact of the project seemed to be a reasonable suggestion. Further value would be added if the evaluation framework could be applied in other areas of WIPO's technical assistance as well. The EU and its member states noted the conclusion of the evaluation report that the benefits of investments in the development of methodologies and tools should be expanded beyond the two pilot countries. Those investments should benefit other countries and stakeholders as well. Therefore, they supported the idea of converting the methodologies, tools, documents and other relevant materials created during the course of the project into a conveniently accessible standard resource set to serve as a reference point for any party interested in replicating the project or parts thereof. The suggested form of a manual or dedicated set of web pages was a good idea. In view of the aforementioned, the three implementation components proposed in the document provided an appropriate framework for future work. The EU and its member states shared the Secretariat's view that the replication of the project in other countries and implementation of follow-up activities should become part of its regular work on capacity building and technical assistance. In that regard, it was important to ensure that the knowledge and experience gained by those who had worked on the project would be adequately transferred to the Organization.

363. The Delegation of Canada greatly valued all efforts extended to help ensure the application of best practices in project management. As such, the creation and making available of a standard set of resources by the Secretariat appeared particularly useful to help aggregate and disseminate such best practices. More specifically, the Delegation recalled that pursuant to the evaluation report of the pilot project, project implementation generally did not take gender and diversity issues into account. The list of standard project elements outlined by the Secretariat now included a gender and diversity issues item. These materials should provide valuable guidance to project managers on how to mainstream notions of gender into DA projects and eventually help draw a clearer picture of the effect of projects on gender and diversity issues. The Delegation supported the mainstreaming of the project activities into the regular capacity building and technical assistance work of the Secretariat with a view to ensuring that investments made in the project would benefit as many stakeholders as possible by successfully replicating project activities in other countries and contexts.

364. The Chair invited the Secretariat to respond to the observations from the floor.

365. The Secretariat (Ms. Rizo) took note of the positive response to the three guiding principles presented in the document, including the need to monitor the longer-term impact of the project; converting the methodologies and tools used in the pilot project into a set of standard resources; and the mainstreaming of project activities into the regular work of the Organization.

366. The Chair closed the discussion on the document given that there were no further observations from the floor. The Committee took note of the document and approved the approach suggested by the Secretariat therein.

Contribution of the Relevant WIPO Bodies to the Implementation of the Respective DA Recommendations (document CDIP/20/9)

367. The Chair invited the Secretariat to present document CDIP/20/9 on the Contribution of the Relevant WIPO Bodies to the Implementation of the Respective DA Recommendations.

368. The Secretariat (Mr. Baloch) introduced the document. Document CDIP/20/9 contained the report of the relevant WIPO bodies to the GA. The content was considered and approved by Member States in the recent meeting of the WIPO GA. The Secretariat recalled that the Coordination Mechanism that was adopted by the Committee and subsequently endorsed by the GA in 2010 instructed the relevant WIPO bodies to report annually to the GA on their work done to implement the DA recommendations. In practice, as agreed in those committees, interventions and statements were made by delegations. For the GA, the Secretariat would prepare a document providing references to the paragraph numbers contained in their respective reports. Last year, the DA was only discussed in the IGC. Hence, document WO/GA/49/11 was submitted to the WIPO GA. As a matter of practice, that report was submitted to this session of the Committee for information.

369. The Delegation of Senegal, speaking on behalf of the African Group, stated that the report should not be limited to a compilation of interventions by delegations. It must be analytical in order to support discussions on ways to improve the contribution of WIPO committees. The CDIP should not confine itself to taking note of the report. There should be substantive discussions on the implementation of the DA. The CDIP was competent to discuss the contribution of the WIPO bodies and provide guidelines in this regard.

370. The Delegation of Switzerland, speaking on behalf of Group B, noted that the document contained the relevant sections from the report on the IGC. The document presented useful information on how the relevant WIPO bodies contributed to the implementation of the respective DA recommendations in a comprehensive and appropriate manner. This reporting methodology should be kept.

371. The Delegation of Estonia, speaking on behalf of the EU and its member states, took note of the relevant report of the IGC in document WO/GA/49/11 and acknowledged the importance of the Coordination Mechanisms to assess the contribution of WIPO Committees towards the full and effective implementation of the DA recommendations. Recommendation 18 urged the IGC “to accelerate the process on the protection of genetic resources, traditional knowledge and folklore, without prejudice to any outcome, including the possible development of an international instrument or instruments”. In that regard, the EU and its member states welcomed the adoption of a new mandate of the IGC for the 2018-2019 biennium by the 57th Assemblies of WIPO Member States. They noted the renewed emphasis on an evidence-based approach and the need to narrow existing gaps on the core issues and objectives of the Committee. In that sense, they considered the new mandate to be an improvement of the previous one and hoped that it would help to reach a common understanding among the participants on the core issues under discussion. Specifically, the EU and its member states looked forward to further examining the role of existing IP regimes and other national and international instruments in safeguarding the genetic resources, TK and TCEs of indigenous and local communities.

372. The Chair closed the discussion on the document given that there were no further observations from the floor. The Committee took note of the information contained in the document.

Project on IP Management and Transfer of Technology: Promoting the Effective Use of IP in Developing Countries, LDCs and Countries with Economies in Transition (document CDIP/19/11 Rev.)

373. The Chair invited the Secretariat to make a comment regarding the Project on IP Management and Transfer of Technology: Promoting the Effective Use of IP in Developing Countries, LDCs and Countries with Economies in Transition.

374. The Secretariat (Mr. Czajkowski) provided an update on the Project on IP Management and Transfer of Technology: Promoting the Effective Use of IP in Developing Countries, LDCs and Countries with Economies in Transition. The project was proposed by South Africa and approved by the Committee in the last session. The project outputs included the preparation of a detailed mapping of technology value chains in four pilot countries, including their elements (funders, developers, managers, users of IP and associated support institutions such as TISCs) and the relationships between them, to determine training outcomes to be achieved. The outputs also included assessing the training needs among elements of the technology value chains using a methodology and toolkit to be developed under the project, establishing training plans for the four pilot countries to address these needs, and carrying out training activities to implement the training plans established for the pilot countries, including as appropriate, on-site activities, distance learning, practical training workshops and effective technology commercialization and IP management targeting those key role players. The project document outlined the selection criteria for the pilot countries. It included the existence of a national or institutional framework for IP protection and/or commercialization; need for understanding IP and associated IP protection strategies, with an advantage being the ability to align the protection strategy to the technology type; and the ability of local beneficiaries and their respective governments to effectively implement the project. Following expressions of interest by several countries to take part in the pilot phase and taking into consideration the selection criteria as well as social, economic, geographical and other factors to ensure sampling, the Secretariat intended to initiate dialogue with South Africa, Chile, Indonesia and Rwanda with a view to implementing the project in these countries. The Secretariat welcomed any further comments and proposals in this regard.

375. The Committee took note of the information provided by the Secretariat.

Point 5 of the Joint Proposal by the Delegations of the United States, Australia and Canada on Activities Related to Technology Transfer (continued)

376. The Delegation of the Islamic Republic of Iran referred to the conclusion on this item. The Delegation believed that from the legal point of view, it was not possible to re-open the discussion and conclude with a new decision after the Chair had struck the gavel on a specific document or item. This was a concern as the practice could create precedence for future sessions. The Delegation stated that it was not acceptable from a legal point of view.

377. The Delegation of Brazil echoed the statement made by the Delegation of the Islamic Republic of Iran. Before lunch, the discussion on document CDIP/20/10 Rev. was closed with the approval of the Delegation of the United States of America. After lunch, the Chair re-opened the item allowing the Delegation of the United States of America to change its position. However, from a procedural and legal point of view, if a country previously agreed on a document and decided to change its position, that could create a dangerous precedent.

378. The Chair pointed out that when he stated his conclusions, the Delegation of the United States of America had asked for the floor. That had to be recognized. He had also misunderstood what the Delegation of the United States had said. The Delegation had proposed that the Committee take note of item 5 of the joint proposal. The joint proposal was

made by the delegations of the United States, Canada and Australia. They consulted and reported to him that they were no longer going to insist on item 5. The Committee could just take note of the document submitted by the Secretariat. By that time, the decision had already been adopted. The Chair assumed responsibility for the action. It was not a matter of going back on a decision that had already been taken but of rectifying a legitimate decision. Delegations that put forward a proposal had the right to withdraw their proposal at any time. That was the Chair's understanding. In his view, the legal procedure had not been infringed.

379. The Delegation of Brazil welcomed the clarification provided by the Chair as some delegations had a concern about that.

380. The Chair closed the discussion on this issue given that there were no further observations from the floor.

Discussion on the Revised Proposal of the African Group Concerning the Biennial Organization of an International Conference on IP and Development (document CDIP/20/8) (continued)

381. The Chair resumed discussions on the Revised Proposal of the African Group Concerning the Biennial Organization of an International Conference on IP and Development.

382. The Delegation of Switzerland, speaking on behalf of Group B, highlighted that it was very useful to hear the views of the African Group on some questions and concerns. The Group had raised some concerns. At this stage, it was still not ready to agree, in principle, on the proposal. Some steps forward were made during this session. The Group was ready to continue engaging with the African Group and other interested Member States to work on the current African proposal. Perhaps a revised proposal that took into consideration the concerns of all delegations and provided more clarity on the way forward with regard to such a conference could be tabled at the next session.

383. The Delegation of Senegal, speaking on behalf of the African Group, highlighted the fruitful exchanges that took place during the informal consultations on the proposal. The Group believed negotiations were still possible. The Group would like to know whether Group B could agree on the principle of holding a conference.

384. The Delegation of the Islamic Republic of Iran recognized the efforts made by some groups to find a solution to this issue. However, the Committee was still not in a position to adopt the proposal by the African Group. During the discussion on the Program and Budget, Member States agreed to hold an international conference on IP and development, as directed by the CDIP. The following was included under Program 8, "continue to undertake other IP and development-related activities as requested by the CDIP and the GA, such as conferences and seminars, notably an international conference on IP and development." This proved that the principle of organizing an international conference had been accepted by all Member States. The CDIP should find common ground concerning the terms of reference and modalities. The Delegation would like to know the main concerns of Group B with regard to the organization of such conferences. The document could be revised to take into account those concerns once they were known.

385. The Delegation of Georgia, speaking on behalf of CEBS, reiterated that it would be happy to consider elements which were raised during the session on the modalities for organizing such conferences in the next session. It looked forward to continue fruitful exchanges even before the next session to find a better understanding and to be better prepared for the next session.

386. The Delegation of Indonesia, speaking on behalf of the Asia and the Pacific Group, reiterated its support for the proposal to convene an international conference on IP and

development. The Group regretted the fact that following consultations in this session, the Committee was still not in the position to agree on the convening of such conferences. It urged all Member States and regional groups to coordinate and consult in order for the Committee to agree on this matter even before the next session.

387. The Delegation of Costa Rica, speaking on behalf of GRULAC, recognized the contribution such conferences could make to international discussions on IP. The proposal by the African Group was a good basis for discussion. The Group regretted the fact that agreement had not been reached. It was ready to address this issue in a constructive manner at the next session or even before that.

388. The Delegation of the Czech Republic supported the statement made by CEBS. The informal consultations were useful. It could be beneficial if all types of stakeholders were invited to take part in the conference as participants and speakers. The conference could bring new inputs to the Committee's work. This condition should be fulfilled in order for the Delegation to support the event. The Delegation could agree on the organization of such conferences on a regular basis, but not every two years. Perhaps every four or five years. In addition, smaller panels on specific IP and development issues to be selected and agreed by the CDIP could be organized during the Committee's sessions. The panels could consist of three or four experts. It would be good to concentrate on one topic in a more concrete way. More frequent exchanges on new ideas and views concerning global developments in this field were needed.

389. The Delegation of China noted that IP was facing a lot of new problems in social, economic and technical areas as globalization and technological change gathered pace. The concept of development had also evolved. A concept of development that was balanced, full and sustainable had gradually replaced the traditional concept of development. Therefore, it was reasonable and necessary for Member States to discuss new issues and developments in this area at a higher level. The Delegation was positive on the organization of such conferences. However, the Committee had to carefully look into the frequency, content and topics for such conferences. The Delegation would continue to take part in the discussions in order to achieve the consensus.

390. The Delegation of Estonia, speaking on behalf of the EU and its member states, highlighted that they had engaged with the African Group. They had a good discussion. Some of their concerns were addressed but not all. The EU and its member states were happy to engage at the next session based on a revised proposal, reflecting the discussions. However, they were not able to agree, in principle, to a conference without fully understanding the content, value added and modalities, elements which were of utmost importance. The African Group had received valuable feedback from different groups in order to revise their proposal further. The EU and its member states were continually open to further discussing the proposal once their concerns had been addressed.

391. The Chair requested Group B to respond to the questions put forward by the Delegation of the Islamic Republic of Iran.

392. The Delegation of Switzerland, speaking on behalf of Group B, referred to the comment made by the Delegation of the Islamic Republic of Iran with regard to the PBC and the language contained in the Program and Budget. The Group did not share the same understanding as the Delegation of the Islamic Republic of Iran. The paragraph quoted included the words, "such as conferences and seminars". There was no any agreement of any sort regarding this particular point at the CDIP. On the question raised with regard to its concerns, the Group noted that many other delegations also mentioned the same concerns. These included the modalities, content and frequency of such a conference. It was clear that these still needed to be addressed and discussed. The Group was ready to engage constructively and to continue

holding discussions at the next session. It was clear that the Committee was not ready to agree on the principle of holding a conference.

393. The Chair noted that all delegations were prepared to continue discussing this item at the next session. Specific suggestions were also made and they could be taken into account. Thus, the Committee could decide to continue discussions on the proposal by the African Group.

394. The Delegation of Senegal, speaking on behalf of the African Group, noted that some delegations had referred to the modalities and content of the conference. Its proposal included some elements concerning these aspects. The Group had expected those who had concerns on the modalities and content to make counterproposals in order to find some common ground. The Group found their comments to be rather vague and imprecise. They should make counterproposals in order to find some common ground.

395. The Delegation of Indonesia noted that the Committee was discussing this proposal for the third time. The African Group had tried to revise its proposal based on the comments made by Member States. Member States were ready to engage constructively at the next session with regard to this issue. Thus, the Delegation supported the African Group's suggestion to hold a full, open and transparent discussion on the modalities and everything else with regard to the convening of the international conference on IP and development.

396. The Chair noted that some delegations were not prepared to commit themselves to adopting the proposal at this session. Thus, the discussions would need to continue in the next session.

397. The Delegation of the United Kingdom referred to the Chair's proposed decision on this agenda item. As mentioned by other delegations, there were good discussions during the plenary and in the informal consultations. The advancements should not be lost. Thus, it could be stated in the Chair's summary that the African Group was invited to revise its proposal on the basis of the exchanges that took place and continue discussions at the next CDIP session.

398. The Chair stated that the Committee had to conclude on this agenda item. It was clear that delegations were not prepared to continue the discussion at this session. The Committee would continue to examine the matter at the next session. This was decided given that there were no objections from the floor.

Discussion on the Implementation of the Recommendations of the Independent Review (documents CDIP/18/7 and CDIP/19/3) (continued)

399. The Chair resumed discussions on Recommendations 5 and 11 of the Independent Review. He noted there was still no agreement on the adoption of these recommendations. If an agreement was not reached at this session, the discussion would continue in the next session. The Review Team would be invited to explain why these recommendations were made when the Secretariat was already implementing them. Some delegations would like the Committee to simply take note of these recommendations as it was not necessary to adopt them, since they were already being implemented. Other delegations believed the experts were right and they should be adopted. In order to find a compromise that would take into account both views, the Chair suggested the following could be included in the summary for this session, "The Committee took note of Recommendations 5 and 11, and requested the Secretariat to continue their implementation and seek to improve the current practice".

400. The Delegation of Senegal, speaking on behalf of the African Group, referred to the Chair's proposal. The Committee would be doing things in the wrong order if it took note of the recommendations before clarifications were provided by the experts who drafted them.

401. The Chair disagreed. This was a practical proposal to conclude on this item without initiating a lengthy debate that would in any case be inconclusive. The Committee would take note of the two recommendations and request the Secretariat to continue implementation and seek to improve the current practice. Before the next session, Member States would submit written proposals on how the Secretariat should implement these recommendations and those which had been adopted. These would be discussed in the next session. If a decision was not taken at this session in accordance with his proposal, the same discussion would be repeated in the next session. His proposal would allow the Committee to move forward on these recommendations.

402. The Delegation of Indonesia stated that the Committee would in effect be adopting recommendations 5 and 11 if it requested the Secretariat to continue implementation and seek to improve the current practice. Thus, the Committee should just adopt them. The Delegation understood that the Chair also suggested Member States could submit comments on how the Secretariat should implement these recommendations. However, some Member States and regional groups believed Member States should not make recommendations on how the Secretariat implemented recommendations that were directed to the Secretariat.

403. The Delegation of the Islamic Republic of Iran echoed the comments made by the Delegation of Indonesia. There was no consensus on the adoption of these two recommendations. The best option would be to postpone the discussion to the next session. The Delegation was in favor of the Chair's suggestion to invite members of the Review Team to explain their reasons for making these recommendations. After clarifications were provided by them, Member States would be in a better position to discuss these two recommendations.

404. The Delegation of Brazil echoed the comments made by the delegations of Indonesia and the Islamic Republic of Iran. The Committee should invite the Review Team to explain why they thought these recommendations were important. The Delegation believed these recommendations should be adopted since the Secretariat was already implementing them.

405. The Chair took note of the interventions. In light of these, he suggested that the Committee should decide to continue discussing recommendations 5 and 11 in the next session and invite the Review Team to provide clarifications to enable Member States to make an informed decision on how these two recommendations should be dealt with. He enquired as to whether the Committee could agree to his suggestion.

406. The Delegation of Switzerland, speaking on behalf of Group B, agreed to go forward with the Chair's proposal. The Group made two practical suggestions. First, before the experts provide their views on these two recommendations, the Secretariat could inform them of its current practice. Some recommendations may no longer be relevant as some practices had changed. Thus, it would be useful for the Secretariat to brief them on its current practice. Second, the Committee's interaction with the experts could take place via a video conference.

407. The Chair closed the discussion on this item given that there were no further observations from the floor. The Committee decided to continue discussing recommendations 5 and 11 in the next session and to invite the Review Team to provide further explanations on those recommendations.

AGENDA ITEM 9: FUTURE WORK

408. The Secretariat (Mr. Baloch) read out a list of work for the next session, as follows: (i) Director General's Report on Implementation of the DA. This report was provided in the spring sessions of the CDIP; (ii) Draft report for CDIP/20; (iii) Studies and other outputs from ongoing DA projects, if any; (iv) New requests for accreditation of NGOs, if any; (v) Evaluation report for the project on Capacity-Building in the Use of Appropriate Technology Specific Technical and Scientific Information as a Solution for Identified Development Challenges – Phase II; (vi) Presentation by the Secretariat on WIPO's revamped technical assistance web page; (vii) Report on WIPO's existing practices relating to the selection of consultants for technical assistance; (viii) A compilation of practices, tools and methodologies for providing technical assistance; (ix) Concept paper on a regular forum for sharing ideas, practices and experiences on TA. Items (vi) – (ix) stemmed from the Committee's decision with regard to WIPO's technical assistance; (x) A gap analysis of WIPO's existing technology transfer-related services and activities in respect of the DA Recommendations contained in "Cluster C"; (xi) Roadmap on Promoting the Usage of the Web Forum Established under the Project on IP and Technology Transfer: Common Challenges-Building Solutions. The Committee decided to continue discussions on certain issues raised in this context; (xii) Mapping of International *Fora* and Conferences with Initiatives and Activities on Technology Transfer. The Committee decided to continue discussion on any developments with regard to the international *fora* and conferences. Items (x) to (xii) on technology transfer were based on the joint proposal by the delegations of the United States, Canada and Australia; (xiii) Annual report on WIPO's contribution to the implementation of the SDGs and its associated targets through the activities and initiatives undertaken individually by the Organization; the activities undertaken by the Organization as part of the UN System; and the assistance provided by the Organization to Member States upon their request; (xiv) Discussions on the way to address SDGs in future CDIP sessions, including the request for establishing a permanent agenda item. The Committee agreed to continue discussing the issue at its next session; (xv) Implementation of the Recommendations of the Independent Review. The Secretariat would invite the review team to provide explanations on recommendations 5 and 11, preferably through webcasting. Member States were expected to provide inputs on the strategies and modalities for implementing adopted recommendations. The Secretariat would prepare and submit a compilation to the Committee; (xvi) Agenda item on IP and development. Some delegations made proposals on the issues to be addressed under this item. It was decided that interested Member States may submit their proposals in writing to the Secretariat for discussion at the next session. The Secretariat would compile the inputs and submit them to the Committee; and (xvii) Revised Proposal of the African Group Concerning the Biennial Organization of an International Conference on IP and Development. The Committee decided to continue the discussion at the next session.

409. The Delegation of the United States of America requested for clarification on the document to be considered in the next session with regard to the mapping of international *fora* and conferences on technology transfer.

410. The Secretariat (Mr. Baloch) understood there would not be a new or revised document. The document would remain the same. The Secretariat would orally brief the Committee on any developments with regard to the international *fora* and conferences.

411. The Chair stated that the list of work presented by the Secretariat was approved, given that there were no further observations from the floor.

AGENDA ITEM 10: SUMMARY BY THE CHAIR

412. The Chair invited the Committee to consider the draft Summary. He underlined that the discussion on each item would not be re-opened. The Committee would merely check each paragraph to ensure that it reflected the discussion that took place on the issue. He turned to paragraph 1. It was adopted given that there were no objections from the floor. Paragraphs 2, 3, 4, 5, 6.1, 6.2, 6.3, 6.4 and 6.5 were also adopted given that there were no observations from the floor. He then turned to paragraph 6.6.

413. The Delegation of the United States of America referred to the explanation provided by the Secretariat during the discussion on future work and wondered whether it would be possible for this to be more clearly reflected in the paragraph. The Delegation suggested the following, "It was decided that any updates will be discussed at the next session of the Committee".

414. The Chair believed the amendment was appropriate as it did not change anything with regard to the discussions that took place on this issue.

415. The Secretariat (Mr. Baloch) stated that it would need to work with the Delegation of the United States of America to include a context for the updates as the document contained specific information. In principle, the Secretariat was happy to integrate the idea.

416. The Chair stated that paragraph 6.6 was adopted with the understanding that new language would be provided to reflect the same idea and should not change what was agreed. He turned to paragraph 7.1. It was adopted given that there were no observations from the floor. Paragraphs 7.2, 8.1 and 8.2 were also adopted given that there were no observations from the floor. He turned to paragraph 8.3.

417. The Delegation of Brazil referred to the last sentence, "The Committee took note of the information contained in the document and decided to close the discussion on item 5 of the Joint Proposal following its withdrawal by the proponents". The Delegation did not remember the delegations of Canada and Australia making any comments on this matter.

418. The Chair stated that the decision to withdraw was taken jointly by the delegations of the United States of America, Canada and Australia. Furthermore, as the delegations of Canada and Australia had not reacted, it meant that they decided tacitly to withdraw the proposal. Paragraph 8.3 was adopted given that there were no objections from the floor. Paragraphs 8.4, 8.5, 8.6, 9, 10, 11 and 12 were also adopted given that there were no observations from the floor.

Closing statements

419. The Delegation of Switzerland, speaking on behalf of Group B, took note of the discussions that took place on the implementation of the recommendations of the Independent Review and the fact that the Review Team would be invited to provide their explanations on recommendations 5 and 11 of the Review. The Group understood that the Review Team would be briefed by the Secretariat on the current practice in place at WIPO with regard to the contents of recommendations 5 and 11 before providing their inputs at CDIP/21 by video conference. The Group took note of Thursday's informal side event briefing by the Representative of the WIPO Director General on the UN SDGs. In future, the Group would prefer any briefings regarding the SDGs to be delivered through the annual report on the implementation of SDGs pursuant to the procedure the Committee had agreed on previously. Progress was made with regard to the proposal by the African Group on the organization of a biennial international conference on IP and development. There were frank and open informal

corridor discussions which allowed for a better understanding of the respective views. The Group hoped the concerns raised by some Member States, including them, would be reflected in the next revised African proposal. The Group also hoped that the positive spirit which prevailed during the discussions in the corridors this week would continue at the next session. It intended to return in such a spirit and remained confident that a suitable way forward could be met.

420. The Delegation Costa Rica, speaking on behalf of GRULAC, took note of the progress achieved in the six ongoing DA projects as outlined in document CDIP/20/2. The Group urged WIPO to continue providing the necessary resources to meet the needs and priorities of Member States. In this session, the CDIP continued to work towards the implementation of its mandate. With the inclusion of a standing agenda item on IP and development, the Committee would be able to work towards the implementation of the third pillar of its mandate in future sessions. The Delegation of Brazil had made specific proposals on topics that could be discussed under this agenda item. The Group looked forward to fruitful discussions on the proposals in next session. It was necessary to follow-up on the discussions concerning WIPO's contributions to the implementation of the SDGs. This was a very important topic. The SDGs were interconnected. The Group had closely followed the discussions on the proposal by the African Group concerning the organization of a biennial international conference on IP and development as well as those on recommendations 5 and 11 of the independent review. With regard to the latter, the Group hoped the participation of the Review Team in the next session would enable the Committee to take an informed decision on these recommendations.

421. The Delegation of Georgia, speaking on behalf of CEBS, took note of the discussions on the implementation of the recommendations of the Independent Review, and specifically, on recommendations 5 and 11. The Group welcomed the decision to invite the Review Team to provide explanations needed to reach a decision on these recommendations. The Group was open to consider and invite experts to take part in panel discussions that could be organized under the agenda item on IP and development on one specific topic that could support the work of the Committee and the Organization. With regard to the proposal by the African Group on the organization of a biennial international conference on IP and development, a lot of progress was observed during the informal negotiations to meet the expectations of all Member States. The Group looked forward to continue fruitful exchanges, even before the next session, to find a better understanding and a good landing zone. The Group believed that in the next session, Member States would arrive at the best solution to accommodate the elements and modalities discussed during the week. The Group hoped fruitful exchanges would continue in the next session in the same positive spirit.

422. The Delegation of Indonesia, speaking on behalf of the Asia and the Pacific Group, reiterated that mainstreaming development elements was not a one-off effort. It was a long-term ongoing process that needed to be pursued collectively and consistently. The Group welcomed the Committee's decision with regard to the discussion in the next session on the recommendations of the Independent Review. The Group noted that the Secretariat would brief the Review Team before inviting them to the next session of the CDIP. For transparency, it would like to see what kind of communication and brief the Secretariat would give to the review team. The Group reiterated its support for the proposal by the African Group on the organization of a biennial international conference on IP and development. Such a conference would add value by raising awareness on how to harness IP policies as a tool for economic development. The Group looked forward to fruitful discussions in future sessions with regard to the SDGs and the standing agenda item on IP and development.

423. The Delegation of Estonia, speaking on behalf of the EU and its member states, considered the session to be fruitful although the Committee did not come to an agreement on all issues. There were interesting discussions on the agenda items, including technological

transfer, various WIPO projects, progress reports, databases, websites and others. New proposals were made, explained and discussed. They welcomed further introductions on proposals concerning the new agenda item on IP and development, and clarifications provided with regard to the African Group proposal on the biennial organization of an international conference on IP and development. They remained committed to advancing work under all the current topics and looked forward to fruitful discussions in future sessions with a view to reaching tangible results. They looked forward to concluding discussions on longstanding agenda items and advancing further on new ones.

424. The Delegation of Senegal, speaking on behalf of the African Group, expressed a strong interest in the work of the CDIP. It was the appropriate body to examine the development aspect of IP and appropriate ways to address IP in this context. The Group was pleased with progress in the implementation of DA projects. It welcomed the organization of side events during this session. The Group looked forward to the future work of the CDIP. Recommendation 1 of the Independent Review stated that the good progress made in the CDIP needed to be consolidated by introducing a higher level debate to address emerging needs and to discuss the work of the Organization on new emerging issues related to IPRs. The new agenda item on IP and development would assist in the implementation of this recommendation and the third pillar of the Committee's mandate. A permanent agenda item should be established on the SDGs as WIPO had a role in the implementation of the SDGs. The Group was pleased that the Review Team would provide clarifications on recommendations 5 and 11 of the independent review in the next session. The Group hoped this would enable the Committee to take an appropriate decision on these recommendations in the next session. The Group would continue its efforts to achieve consensus on its proposal for a biennial international conference on IP and Development.

425. The Delegation of China hoped the Committee would continue to hold in-depth discussions in the spirit of openness and constructiveness in the next session in order to reach further consensus.

426. The Delegation of South Africa aligned itself with the statement made by the Delegation of Senegal on behalf of the African Group. The Delegation reiterated the importance of adopting recommendations 5 and 11 of the independent review. It was taken aback by the resistance of some Member States as the Secretariat had indicated that its practices were in line with the recommendations. It was critical that these recommendations were addressed as their implementation had a direct impact on the sustainability of the DA projects. The Delegation was disappointed that an agreement could not be reached on the African Group's proposal to convene an international conference on IP and development. It did not anticipate the stiff resistance as the benefits of convening such a conference should be evident to all. After all, the Independent Review identified serious limitations with regard to the level of debate in the Committee, and proposed that the Committee should introduce "a higher level debate to address emerging needs and to discuss the work of the Organization on new emerging issues related to IPRs". The Committee could not identify and/or discuss these emerging issues effectively. It needed to invite people who were directly affected by the system such as users, inventors, and funders from developing, developed and emerging countries to present their perspectives on the problems on the ground, potential opportunities and possible actions by WIPO and Member States. This was important for WIPO's work to be truly relevant. The Delegation hoped the Committee would do better in the future.

427. The Delegation of the Islamic Republic of Iran referred to the recommendations of the independent review. It was delighted that the Committee had adopted 10 of the 12 recommendations. The Delegation looked forward to fruitful discussions in the next session on the two remaining recommendations in order for the Committee to be in a position to adopt those recommendations.

428. The Delegation of Brazil believed the Committee had a productive session. There were important achievements. Concrete advancements were made on some agenda items, particularly on the new item on IP and development. As the only multilateral forum to discuss IP and development, the CDIP was the most appropriate forum for all Member States to exchange knowledge and experiences on all dimensions of IP and development to facilitate a better understanding of the circumstances in which a well-designed IP system was a contributing factor to innovation and creativity in general. In this context, the Delegation had shared concrete ideas on topics that could be addressed under this agenda item. The proposal was based on complementary intellectual perspectives. First, the role of IPRs in economic development. Second, development-oriented IP that shed light on the range of available mechanisms in the international systems to ensure that IP was supportive of public policy objectives. The Delegation intended to refine its proposal in dialogue with all Member States in order to present it in the next session. The Delegation hoped the initiative would inspire other delegations to table additional proposals to enable the Committee to reach an agreement on the work program based on substantive ideas in the next session. On the SDGs, the Delegation referred to WIPO's initiative to establish a direct link between the SDG goals and the expected results in the Organization's budget. This was a good step in the right direction. The Delegation reiterated its strong support for the proposal of the African Group on an international conference on IP and development. Progress was made to bridge the gap among the different points of views. This provided hope that an agreement may be finally reached in the next session. The goal of mainstreaming the development dimension into WIPO's activities could not be achieved by one country or a group of countries. It could only be done collectively by all and for all Member States. The credibility of the IP system and its wider acceptance as an important tool for the promotion of innovation, creativity and development hinged on a balanced approach that included the perspectives of all Member States.

429. The Representative of the Health and Environment Program (HEP) stated that IP and development were cross-cutting issues. Understanding the links between IP and development required a coordinated approach and the involvement of the various stakeholders. In view of the new emerging issues in this field, the Representative appealed to Member States to respond positively to the proposal by the African Group on the organization of a biennial international conference on IP and development. Constant communication with all stakeholders would enable the Committee and WIPO to take inclusive decisions in order to ensure that there was agenda for effective development.

430. The Chair highlighted that the Committee had continued to achieve progress in relation to the implementation of the DA. The Committee welcomed the proposal by the Delegation of Brazil on topics that could be addressed under the new agenda item on IP and development. The Committee also dealt with the important subject of technology transfer. It took note of the work WIPO was carrying out in cooperation with external partners on this issue. The Committee also looked into how SDGs could be addressed in future sessions, including the request for establishing a permanent agenda item. This was examined in an informal session. The Committee also agreed to continue discussions on the proposal by the African Group on the organization of a biennial international conference on IP and development. The Committee also took note of progress achieved in ongoing DA projects. The Chair underlined that he had tried to take into account all the different perspectives in order to take the work of the Committee forward.

431. The Chair and the Member States thanked everyone for their participation and work during the session.

[Annex follows]

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