

## **Committee on Development and Intellectual Property (CDIP)**

**Twenty-second Session**  
**Geneva, November 19 to 23, 2018**

REPORT

*adopted by the Committee*

1. The 22<sup>nd</sup> session of the Committee on Development and Intellectual Property (CDIP) was held from November 19 to 23, 2018.
2. The following States were represented: Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Bhutan, Bolivia, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Cameroon, Canada, China, Congo, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, France, Gabon, Germany, Ghana, Greece, Guatemala, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Japan, Jordan, Kenya, Kuwait, Latvia, Lebanon, Liberia, Lithuania, Madagascar, Malaysia, Malta, Mauritania, Mexico, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Sri Lanka, Switzerland, Syrian Arab Republic, Thailand, the Former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United States of America, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe (97).
3. The following intergovernmental organizations ("IGOs") took part as observers: African Regional Intellectual Property Organization (ARIPO), Communauté Economique et Monétaire en Afrique Centrale (CEMAC), European Union (EU), European Union Intellectual Property Office (EUIPO), Food and Agriculture Organization of the United Nations (FAO), Federation of Arab Scientific Research Councils (FASRC), Organization of Islamic Cooperation (OIC), Patent Office of the Cooperation Council for the Arab States of the Gulf (GCC Patent Office), South Centre (SC), World Health Organization (WHO) and World Trade Organization (WTO) (11).
4. Representatives of the following non-governmental organizations ("NGOs") took part as observers: Association Congolaise pour le Développement Agricole (ACDA), Confederacy of Patent Information User Groups (CEPIUG), CropLife International (CROPLIFE), European Law Students' Association (ELSA International), Foundation for a Centre for Socio-Economic Development (CSEND), Health and Environment Program (HEP), International Center for Trade and Sustainable Development (ICTSD), International Association of Scientific Technical and Medical Publishers (STM), International Video Federation (IVF), Knowledge Ecology International, Inc. (KEI), Médecins Sans Frontières (MSF), Medicines Patent Pool (MPP), Motion Picture Association (MPA), National Intellectual Property Organization (NIPO), RSRIIP Intellectual Property Corporation (RSRIIP), World Federation of Engineering Organizations (WFEO) (16).
5. The list of participants is annexed to this report.
6. Mr. Hasan Kleib, Ambassador, Permanent Representative of Indonesia, chaired the session. Ms. Kerry Faul, Head, National Intellectual Property Management Office (NIPMO), Department of Science and Technology, Pretoria, South Africa, and Mr. Ray Augusto Meloni García, Director, Director of Distinctive Signs (Dirección de Signos Distintivos), National Institute for the Defense of Competition and Protection of Intellectual Property (INDECOPI), Lima, Peru, acted as Vice-Chairs.

## **AGENDA ITEM 1: OPENING OF THE SESSION**

7. The Chair opened the session. He welcomed delegations to the 22<sup>nd</sup> session of the CDIP and expressed his gratitude to all delegations and regional groups for their continued support. He noted the valuable contributions by the Vice-Chairs, Dr. Kerry Faul of South Africa and Mr. Ray Augusto Meloni García of Peru. With all delegations' constructive engagement and support, the Chair was confident to have fruitful deliberations during the session. It was in the interest of all delegations that the session built upon the achievements of past sessions as well

as support the continued and tireless efforts of WIPO towards integrating the Development Agenda (DA) and its underlying principles into its work. IP continued to be an important driver for social, economic, and cultural development, and the CDIP's work was crucial in advancing the deliberations on topics related to the role of IP and development and related challenges. In that regard, Member States and other stakeholders had big expectations of the work of the CDIP, in which mutually acceptable solutions to fulfill those expectations were within reach. The CDIP had a busy agenda and the Chair hoped that delegations would work with a spirit of compromise, flexibility, and goodwill. To mention a few, there were two pending issues for project proposals, reports of projects under implementation, an interactive dialogue on technical assistance, as well as discussions on IP and development under agenda item 8. He was confident that through compromise and accommodation, the CDIP could forge agreements on the remaining pending issues, namely the Modalities and Implementation Strategies of the Adopted Recommendations of the Independent Review, Recommendations 5 and 11 of the Independent Review, as well as on the African Group proposal on convening an international conference on IP and Development. Apart from the pending issues, the session would also consider four project proposals submitted respectively by the Delegations of Kenya, Burkina Faso, Peru, and Brazil. He wished to have productive and constructive deliberations on those proposed projects and expressed hope to come to positive decisions, as done successfully at the previous CDIP sessions. In addition, the CDIP would also continue discussing the sub-agenda item on "WIPO technical assistance in the area of cooperation for development" and the implementation of the six-point proposal on technical assistance, including the document on the Feasibility of Establishing a Web Forum (CDIP/22/3). In relation to that, on Friday, the CDIP would hold an interactive dialogue on technical assistance, as agreed at the 21<sup>st</sup> session of the CDIP. He strongly encouraged Member States to make the most of the interactive dialogue by sharing experiences, best practices, and lessons learned of their respective countries, and providing guidance to the Secretariat on the delivery of technical assistance. On the agenda item "IP and Development", the CDIP would address the topic of Women and IP. The CDIP would also continue discussing issues to be addressed under that agenda item in future sessions. In that regard, inputs for future topics were welcome. The Chair expressed his hope that delegations could agree with the proposed distribution of work, bearing in mind that, as the work progressed, there might be deviation from the work program. The process as regards the preparation of the Summary by the Chair would remain according to normal practice. After concluding discussion on each document or issue, a decision paragraph would be circulated by the Secretariat for consideration. The Summary by the Chair would constitute a compilation of those paragraphs only. The Summary would be kept factual and brief. He expressed his fervent hope that with the delegations' constructive engagement and support, the CDIP would have fruitful deliberations and make good progress during the session.

8. The Director General Dr. Francis Gurry thanked Ambassador Hasan Kleib for his dedication and the work that he had achieved during the sessions. The 22<sup>nd</sup> session of the CDIP was an important meeting with an extremely busy agenda. The issues in front of the Committee were of fundamental importance. In addition to those mentioned by the Chair, there was a new standing agenda item "IP and Development", and the 22<sup>nd</sup> session of the CDIP would discuss the topic of Women and IP. IP was at the center of economy and economic development, and the topic of IP and Women was of fundamental importance. He was delighted to see it addressed in that context, as WIPO had addressed it in a wide variety of programs. He was pleased that a number of Member States were cooperating with a side event on Women and Innovation in MIKTA Countries (Mexico, Indonesia, Republic of Korea, Turkey, and Australia). That was an important advancement. He thanked all delegations that were implementing DA projects. Those were exceptionally important and he was very grateful to the delegations for their commitment to the execution of those projects. There were a number of new items on the agenda and new projects for consideration. That has been an extraordinary contribution to WIPO over the course of the last years and to the mainstreaming of the work. In relation to technical assistance, WIPO spent approximately 20 per cent of its revenue on development, so there were few topics that were of greater importance as the technical

assistance program. As WIPO revenue grew and the 20 per cent share grew with the revenue, it became even more important. It was not an easy area. The theory of the contribution of IP to economic development, and then the practice of how one got alignment between the national economic objectives of a particular country and the contribution that IP could make to the achievement of those objectives. Those were of fundamental importance, as well as the emphasis on capacity building. The Director General was delighted to see that an interactive discussion on technical assistance would take place because that would be a very fertile source of nourishment for the WIPO program in the area of technical assistance. He wished CDIP participants very good deliberations, under the wise leadership of Ambassador Kleib, and successful outcomes.

## **AGENDA ITEM 2: ADOPTION OF THE AGENDA**

9. The Chair invited the Committee to adopt the Agenda contained in document CDIP/22/1 Prov. 2.

10. The Secretariat (Mr. Irfan Baloch) stated that an additional document had been submitted by the Delegations of Indonesia and of the United Arab Emirates (document CDIP/22/17). Subject to the approval of the Committee, it would be included in the final version of the agenda, under Agenda Item 8.

11. The Agenda was adopted given that there were no observations from the floor.

## **AGENDA ITEM 3: ACCREDITATION OF OBSERVERS**

### Consideration of document CDIP/22/6

12. The Secretariat (Mr. Irfan Baloch) recalled that, pursuant to the Rules of Procedures of the Committee (document CDIP/1/2 Rev.), an *ad hoc* accreditation could be provided to non-governmental organizations (NGOs) for a period of one year. The document CDIP/22/6 contained the request for accreditation submitted by the French Association of Industrial and Artisanal Geographical Indications.

13. The Chair invited the Committee to take a decision on the request. The French Association of Industrial and Artisanal Geographical Indications, was granted an *ad hoc* observer's status given that there were no objections from the floor.

## **AGENDA ITEM 4: ADOPTION OF THE REPORT OF THE TWENTY-FIRST SESSION**

### Document under consideration CDIP/21/15 Prov.

14. The Secretariat (Mr. Irfan Baloch) stated that the report of the 21<sup>st</sup> session of the CDIP had been published on September 19, 2018, and Member States had been invited to provide comments. The Secretariat had not received any comments. However, the Secretariat had identified, in paragraph 197 of the report, some minor adjustments as regards its presentation on the Sustainable Development Goals (SDGs). Should any delegation wish to know what those minor changes were, he could read them out; otherwise, those adjustments would be made before the publication of the final version of the report.

15. The report was adopted, with the minor change suggested by the Secretariat, given that there were no comments nor objections from the floor.

## AGENDA ITEM 5: GENERAL STATEMENTS

16. The Chair opened the floor for general statements.

17. The Delegation of Morocco, speaking on behalf of the African Group, reaffirmed its support to the work of the CDIP and encouraged the progress accomplished by the Committee to promote the IP system and to protect and strengthen the interests of countries that needed development. The CDIP's mandate was playing a fundamental role in the implementation of the DA Recommendations. Issues such as technical assistance, capacity building and transfer of technology were of great interest not only to the African Group, but also to all developing countries. The Group took note of the broad spectrum of topics that the CDIP was invited to deal with during the week, and welcomed the various different reports and proposals submitted for consideration. It supported the proposals put forward by its Member States. In that connection, it welcomed the Progress Reports on the DA projects (CDIP/22/2) which gave an overview of the progress achieved in the projects undertaken and the way in which WIPO implemented the Recommendations of the DA. It was convinced that projects of the DA sought, *inter alia* to concentrate on promoting protection and implementation of IP and to look at the simplification of use of IP as an instrument for economic development. The implementation of the DA needed to be constantly mainstreamed into all the activities of WIPO. All of the committees of WIPO ought to take account of the DA Recommendations in their activities and should submit detailed report thereon, not just lists of statements by Member States. It underlined the importance of technical assistance and the need to provide it in an efficient and consistent manner and ensure its continual improvement in terms of both effectiveness and planning. The CDIP needed to make more efforts to provide technical assistance and capacity building and make them more accessible to Member States. It awaited with interest the interactive dialogue on that topic. Moreover, it hoped that the Committee would adopt Recommendations 5 and 11 of the Independent Review so that all the approved recommendations could be implemented. The African Group and other developing countries were greatly attached to the topic of development and its link with IP, as they were convinced of the importance of that area of work of the CDIP and the determination to have success in the process of contributing to the implementation of DA Recommendations. In that perspective, the Group had presented, at the 19<sup>th</sup> session of the CDIP, a proposal on the organization of an International Biennial Conference on IP and Development, which had received broad support. It had submitted a revised version of its proposal to the 20<sup>th</sup> session of the CDIP. It hoped that the discussions on the African proposal would be concluded at the current session, given that the conference proposed could serve as a useful platform for a higher level of discussions to cover a broader spectrum of reports on IP and the DA. It awaited with interest the discussions on Women and IP under the agenda item 8 (i.e. "IP and Development"). The Group would further intervene throughout the deliberations on specific agenda items, and was fully committed to the work of the Committee.

18. The Delegation of Indonesia, speaking on behalf of the Asia and the Pacific Group (APG), found the work of the CDIP important to the members of the APG. The APG supported 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 as done in the CDIP. It took note of all the documents under agenda item 6 and looked forward to hearing and discussing the progress reports for the approved CDIP projects under implementation, the completion reports of CDIP projects, and the strategies adopted to implement the recommendations for the period of July 2017 to June 2018, as contained in document CDIP/22/2. It also looked forward to hearing the evaluation report of the project on IP and Socio-Economic Development – Phase II (CDIP/22/9 Rev.), and to discuss the Contribution of Relevant WIPO Bodies to the Implementation of the Respective DA Recommendations (CDIP/22/13). It welcomed and thanked the Secretariat for preparing the documents on the

Feasibility of Establishing a Web Forum on Technical Assistance (CDIP/22/3) as well as other documents related to WIPO Technical Assistance in the Area of Cooperation and Development. The APG would engage constructively in the deliberations of those subject matters and looked forward to the interactive dialogue on technical assistance. Technical assistance was an important area for members of the APG. To be effective, the delivery of technical assistance needed to be timely, efficient and coherent. An institutional mechanism had to be devised to avoid duplication and for optimal use of resources. It was hopeful that the discussion on WIPO Technical Assistance in the Area of Cooperation for Development would bring uniformity, better organization and clarity to existing processes and practices within WIPO. With regard to Agenda Item 7, it took note of all the documents and looked forward to fruitful discussions on the revised African Group proposal on an International Conference on IP and Development (CDIP/20/8). It was hopeful that the 22<sup>nd</sup> session of the CDIP would be able to agree on the convening of the proposed international conference. It also looked forward to the discussion on the implementation of the recommendations of the Independent Review. As stated in previous sessions of the CDIP, it welcomed the recommendations made in the report of the Independent Review of the Implementations of the DA Recommendations (CDIP/18/7). The recommendations call for improvement in WIPO's performances in the DA implementation and set out a process to take action. Implementation of the DA was a long-term process and the DA Recommendations were part of that process. In that context, it recalled the 2010 WIPO General Assembly (GA) decision which stated: "Upon consideration of this review, the CDIP may decide on a possible further review." It thanked all the Member States and regional groups that had sent their inputs with regard to the modalities and implementation of the adopted recommendations of the Independent Review, as reflected in document CDIP/22/4 Rev. It also took note and looked forward to fruitful discussions on the revised project proposals put forward by the Delegations of the Republic of Kenya and Peru. It thanked the Delegations of Brazil and Burkina Faso for putting forward new project proposals and looked forward to constructive discussion on the project proposals towards positive decisions. With regard to Agenda Item 8, it commended all regional groups and Member States for the resolution of the GA decision on CDIP related matters. It was hopeful that the agreed coordination mechanism would be implemented and that the discussion on the new agenda item on "IP and Development" could further strengthen WIPO's mission for a balanced and effective international IP system that benefited all. It thanked all Member States and regional groups that had sent their inputs with regard to the issues to be addressed under the agenda item "IP and Development". It also looked forward to the discussion on Women and IP, with members of the group actively participating in the discussion. It was important for the CDIP and its Member States to be able to have a meaningful discussion on matters pertaining to IP and development. One of WIPO's strategic goals was to facilitate the use of IP for development, which internally would support WIPO's mission to develop a balanced international IP system that rewarded creativity, stimulated innovation and contributed to economic development. APG members would make interventions during the discussion on specific agenda items. It looked forward to contributing to the proceedings and hoped for a productive session.

19. The Delegation of El Salvador, speaking on behalf of the Group of Latin American and Caribbean Countries (GRULAC), thanked WIPO for the increase in technical assistance and capacity building activities aimed at achieving the SDGs. It highlighted the importance of initiatives within GRULAC countries for promoting creativity and innovation as pillars of development. The new agenda item on "IP and Development" had been included in the CDIP agenda and the Group requested the continuation of discussions on the proposals made in document CDIP/21/8/Rev. It would enable the deepening of further discussions on issues such as commercialization of technology, SMEs and innovation, among others. It took due note of document CDIP/22/2, which gave updates on the implementation of DA projects and completion report of the project on the IP and Socio-Economic Development – Phase II, and the report on the activities related to the implementation of DA Recommendations. A transformative vision of development ought to include the IP focus, and the implementation of the 45 Recommendations of the DA must form an integral part of the work of WIPO. It was important that WIPO continued

to provide the necessary information on how the DA was being incorporated into the activities of the Organization, as it was done to date. The Group referred to its statement during the 21<sup>st</sup> session that for it a topic of great interest was the SDGs and their associated targets. It took due note of the report on the WIPO Contribution to the Implementation of the SDGs (CDIP/21/10) that was presented to the previous session. The Group expressed its hope to contribute to future discussions of the Committee under the new agenda item on “IP and Development”. It thanked the Secretariat for the document on the Feasibility of Establishing a Web Forum on Technical Assistance (CDIP/22/3). It had been considering the proposal by the Secretariat and the explanations provided with regard to its implementation. GRULAC would participate actively in the interactive dialogue on technical assistance and in other discussions on the agenda related to cooperation for development. It hoped that those proposed topics put forward by some members of GRULAC would be taken into account in the future. With regard to the item on implementation of adopted recommendations of the Independent Review, it referred to the proposals’ presentation by members of GRULAC. It expressed support for the project to promote gastronomic tourism through the use of IP proposed by the Delegation of Peru (CDIP/22/14 Rev.). Moreover, the growth of digital platforms that offered audiovisual services presented alternatives to local content distribution, which could not come to the public previously through cinema or television. In various regions, consumption of audiovisual content through digital media had increased exponentially. In Latin America, the distribution of audiovisual content through digital means had grown significantly over the past few years. GRULAC welcomed and supported the pilot project on Copyright and Distribution in the Digital Environment put forward by the Delegation of Brazil (CDIP/22/15), which aimed at increasing the understanding of the industry in various countries of the region. It highlighted the importance of the consideration by the CDIP of the issue of Women and IP. That was a cross-cutting issue that affected all areas of human life, including IP. The gender divide had economic and social repercussions. Better participation of women and girls had a positive impact not only on innovation, but also on development in general in any society. It wished to acknowledge the importance of taking into account the gender perspective in the elaboration and implementation of IP policies; ensuring that women and girls could be involved in science, technology, engineering and mathematics (the STEM subjects), as well as arts, and promoting a better involvement and better use of the IP services by women, facilitating thus their insertion into the professional world, particularly the one related to IP. Conscious of the importance of the role of women in IP, it expressed support for the proposal put forth by the Delegation of Mexico (CDIP/22/16 Rev.) and hoped that the CDIP would be able to adopt it, signaling the commitment of WIPO Member States to promote better involvement of women in innovation, creativity and the use of the IP system.

20. The Delegation of Austria, speaking on behalf of the European Union (EU) and its member states, stated that the current session had to discuss a wide range of topics related to IP and development. The Delegation looked forward to constructively engaging in the deliberations. The Delegation would listen carefully and with an open spirit to the interventions of other delegations. It took note of the comprehensive Progress Reports (CDIP/22/2) regarding several DA projects, as well as on the implementation of the DA Recommendations. The EU and its member states appreciated the new and clear structure in the report concerning the DA Recommendations, which enabled the recipients to navigate smoothly and get a quick overview. With respect to the discussion on the implementation of the Independent Review recommendations, it thanked the delegations for submitting proposals on how to take forward the agreed recommendations and thanked Group B for proposing a way forward based on the submissions of the Delegations of Mexico and Peru. With interest, it looked forward to listening to the interactive dialogue on technical assistance. It was optimistic that it would lead to sound and concrete results. Further, it looked forward to participating, for the first time in WIPO, in the discussions on Women and IP. It had always been supportive of women and IP rights and therefore was willing to support WIPO in its efforts to encourage and strengthen the capacity of women with respect to IP. Equality between women and men was a common value of the EU, enshrined in the Lisbon Treaty, pursuant to the Treaty on the European Union. Promoting

gender equality was one of the EU's tasks and in all of its activities, it aimed at eliminating inequalities between women and men (reference to the Article 3 and 8, Treaty on the Functioning of the European Union). It thanked the Delegation of Mexico for its contribution to that topic. It was also thankful to MIKTA countries for the promotion of that topic under the auspices of WIPO. It also welcomed all proposals and contributions from Member States, respecting the principles of initiating demand-driven projects and ownership of beneficiaries, as that had delivered the best possible results in the past and thus showed the best way forward. It noted with appreciation the proposals of the Delegations of the Republic of Kenya, Peru, Burkina Faso, Brazil, and Mexico. It was prepared to take part in fruitful discussions, which hopefully, would lead to tangible results. The EU and its member states was ready to be a constructive partner during the course of the session.

21. The Delegation of Lithuania, speaking on behalf of the Central European and Baltic States (CEBS) Group, was pleased to note that the agenda of the session was very rich and included interesting topics and demand-driven projects. It looked forward to having meaningful discussions on every agenda item. The CEBS members had examined with interest the Progress Reports (CDIP/22/2) on the implementation of the DA projects and commended the clarity and structure of the document and thanked the Secretariat for its preparation. The Group also welcomed the evaluation report of Phase II of the DA Project on Intellectual Property and Socio-Economic Development (CIP/22/9 Rev.). It reiterated the importance that it attached to the ownership of beneficiary countries participating in the project, as underscored in the conclusions of the external evaluator (Mr. Pedro Roffe). Thus, the Group was pleased to see demand-driven projects presented before the CDIP and thanked the Delegations of the Republic of Kenya, Burkina Faso, Peru and Brazil for their interest in developing meaningful projects aimed at employing IP for addressing their particular development needs. It encouraged other Member States to seek practical solutions through implementation of development-oriented projects that would deliver positive impact on the ground. To that end, it also looked forward to interactive discussions on technical assistance. It believed in the positive impact on development that women empowerment delivered. Thus, it looked forward to a very relevant discussion on the topic Women and IP, the first substantive topic to be discussed under the new standing agenda item "IP and Development". Furthermore, it thanked MIKTA countries for actively promoting that topic in WIPO and for organizing the side event.

22. The Delegation of Canada, speaking on behalf of Group B, welcomed the Progress Reports contained in document CDIP/22/2 on the implementation of ongoing DA projects and thanked the Secretariat for their preparation. Those reports provided a comprehensive analytical overview of the status of the projects. It thanked the external Evaluator (Mr. Pedro Roffe) for the preparation of the Evaluation Report of the DA project on IP and Socio-Economic Development – Phase II. It reiterated the importance of DA projects to enhance the capacity of Member States to use IP as a tool for their development. It encouraged Member States to continue to present practical proposals that sought to leverage the IP system for socio-economic development. It thanked the Delegation of the Republic of Kenya for its revised project proposal on enhancing the Use of IP in the Software Sector (CDIP/22/8), the Delegation of Burkina Faso for its proposed project on Strengthening and Development of the Music Sector (CDIP/22/12), the Delegation of Peru for its revised project proposal on IP and Gastronomic Tourism (CDIP/22/14 Rev.), and the Delegation of Brazil for its proposed project on Copyright and the Distribution of Content in the Digital Environment (CDIP/22/15 Rev.). It welcomed the discussion held at the 21<sup>st</sup> session of the CDIP in May 2018 on the new item on "IP and Development" and the agreement reached by the Committee on the themes for discussion at the 22<sup>nd</sup> and 23<sup>rd</sup> sessions of the CDIP. It looked forward to the presentation by the Secretariat regarding its development-related activities fostering the participation of women in IP and to fruitful discussions on that matter. It looked forward to contributing to the work of the CDIP.

23. The Delegation of China was pleased to see the substantive progress the CDIP had made at the last session in deciding to address SDGs and two specific topics under the agenda item

on “IP and Development”. It looked forward to engaging actively in all discussions under the agenda item with other delegations and hoped that the Committee would reach consensus on specific topics so as to start relevant work as soon as possible. It noted that DA recommendations and projects continued to be implemented steadily. The Secretariat also continued to be committed to improving and expanding relevant work so that developing countries, least-developed countries (LDCs) and countries in economic transition could truly benefit. It highly appreciated the Director General, Deputy Director General and their team for their important contribution over the years in terms of promoting and implementing the DA and of mainstreaming development in their work. It hoped that the achievements made in the implementation of DA projects and DA Recommendations could be effectively promoted and sustainably applied. From November 5 to 10, China held its first China International Import Expo in Shanghai which attracted wide interest and participation. At the opening ceremony, President Xi Jinping called on countries to actively champion openness and cooperation in order to secure shared development. Thus, it was in that spirit, it hoped, that the delegations would move forward with the work of the Committee and that the session would achieve positive progress.

24. The Delegation of Ecuador supported the statement made by the Delegation of El Salvador on behalf of GRULAC. It reiterated the importance it attached to the discussions and the work of the CDIP. In its view, development was the final goal of the IP system. The protection of IP rights was a means necessary but not sufficient and it was not automatic in order to raise the living standard. There was a need for public policies that encouraged innovation and productivity. There were various substantive items before the CDIP. One of them, the implementation of the DA, was of great significance to the Delegation of Ecuador. It welcomed the inclusion of non-traditional topics such as tourism, culture and sport. In that regard, the implementation of the 45 DA Recommendations was vital for WIPO's work. It welcomed the discussion on topics to spur the growth and development of Member States, reducing the gap between developed, developing and least developed countries by studying their socio-economic state and the influence of intangible assets on growth. It thanked WIPO for its work on technical capacity building at the national level. The Delegation appreciated the work and support provided by WIPO in the framework of the project on IP and Tourism (CDIP/15/7 Rev.). Ecuador had been part of the project since 2016 and it had led to various spaces for dialogue and interaction between various players in the society. The successful development of that project was visible in various regions of Ecuador. There were still many challenges and Ecuador had therefore worked on policies and actions to achieve its own development objectives. The Delegation was also very interested in actively participating on topics on the CDIP agenda, especially under the agenda item “IP and Development”. That was great progress towards achieving the implementation of the CDIP mandate. It expressed its commitment and support to constructively examining topics that would work towards achieving the SDGs in a cross-cutting manner, with special reference to medicine, essential drugs, education and gender equality. Gender equality was part of a development strategy. Apart from being the heads of families and having a great deal of work at home, women undertook many responsibilities, for example, in the production of coffee which was gaining prestige and value in Ecuador, as seen in the 2007 report on IP in Ecuador. The report showed the challenge faced by developing countries in increasing the income stemming from the sales to final consumers. In the area of South-South cooperation and technical assistance, the Delegation supported all efforts to improve WIPO's technical assistance. It repeated the importance of continuing to work on the appropriate implementation of the CDIP mandate, and it hoped that the session would make progress on various items on the agenda of the CDIP. The Committee could count on its commitment in achieving positive results that week. All its efforts were aimed at converting IP into an effective tool to contribute to development.

25. The Delegation of Tunisia endorsed the statement made by the Delegation of Morocco on behalf of the African Group. It expressed hope that the session would achieve progress in strengthening the countries' commitment to development. It welcomed the fact that the last

session of the GA had welcomed the CDIP work and the implementation of the DA, thus putting development issues firmly in the center of WIPO's work. Mainstreaming DA Recommendations was an important aspect of the CDIP's work. The Progress Report (CDIP/22/2) and the Evaluation Report on IP and Socio-Economic Development – Phase II (CDIP/22/9 Rev.) gave a good overview of the DA projects and the implementation of the DA Recommendations. It hoped that the session would manage to adopt the remaining two recommendations 5 and 11 of the Independent Review. Furthermore, technical assistance in the area of cooperation for development was an issue of great importance in WIPO's activities, and the Delegation looked forward to the interactive dialogue on the subject. Capacity building, technical assistance and the promotion of innovation and innovative technologies should be among the major concerns of all members. It thanked the Delegations of the Republic of Kenya, Burkina Faso and Peru and Brazil for their project proposals. It reiterated its support for the African Group proposal to have a conference on IP and development. The Committee had almost agreed on that proposal at its last session and it hoped to keep up that constructive spirit. The holding of a conference would benefit everyone and further strengthen the IP system. Putting IP and development on the agenda was an important achievement. The choice of the topic of Women in IP would attach greater value to the role of women in IP. The Delegation also thanked the Delegation of Mexico for its proposal for a declaration on women and IP (CDIP/22/16).

26. The Delegation of India aligned itself with the statement delivered by the Delegation of Indonesia on behalf of the APG. It looked forward to the discussions on the Progress Reports (CDIP/22/2), the evaluation report of the project on IP and Socio-Economic Development – Phase II (CDIP/22/9 Rev.) and the other prepared documents. On document CDIP/22/13 on the Contribution of Relevant WIPO Bodies to the Implementation of the respective DA Recommendations, the Delegation noted that only the contribution of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) was mentioned, with no references to any other WIPO body. That was not a very healthy trend, as every other WIPO body had a responsibility to contribute on the implementation of DA Recommendations. For a balanced and effective international IP system, it was imperative to take a holistic view of its impact. One needed to factor in both the benefits of IP with respect to fostering innovation, as well as the costs it entailed on the ability of developing countries and LDCs in meeting their socio-economic development concerns. The SDGs were universal, integral and indivisible in character. Hence, each and every SDG was fully relevant to the scope of WIPO's activities. The discussions on WIPO technical assistance in the area of cooperation for development would bring uniformity, better organization, and clarity to existing processes and practices. One needed to ensure that there was no duplication in that area. On the document on Internal Coordination and External Collaboration and Cooperation (CDIP/22/11), the Delegation appreciated the factual account of the current status of cooperation and coordination. However, it was essential to identify new proposals in that field to take the process forward. It looked forward to constructive and positive discussions on the proposal of the African Group concerning the Biennial Organization of an International Conference on IP and Development (CDIP/20/8). That was a forward-looking proposal, pending for a long time, and merited the attention of the CDIP. It looked forward to the discussions under the agenda item on "IP and Development", particularly the presentations and discussions on the theme of Women and IP. The discussion on transfer of technology in the CDIP was also very important. The issue had remained under discussion for decades without any concrete headway, and there was a need to discuss the subject with an action-oriented approach in the CDIP. It looked forward to engaging productively and constructively in the discussions during the session.

27. The Delegation of Iran (Islamic Republic of) associated itself with the statements delivered by the Delegation of Indonesia on behalf of the APG. IP, by its nature, had always been an integral part of general economic, social and cultural development worldwide as it played an important role in inducing technological evolution and facilitating economic growth. The Delegation placed high priority on the work of the CDIP as a specialized Committee on IP and

development in WIPO. WIPO, as one of the UN specialized agencies, should adopt an IP-oriented approach towards development. Furthermore, WIPO's guidelines for development of national IP and innovation strategies should be the framework to support Member States in the development and implementation of comprehensive, coherent and well-coordinated national IP policies and innovation strategies. Developing a balanced and accessible international IP system that rewarded creativity, stimulated innovation and contributed to economic development was one of the main mandates of WIPO. In that context, mainstreaming development in the various WIPO committees should not be seen as a one-off effort, but a long-term, ongoing process that needed to be pursued collectively and consistently. The mainstreaming of those elements should also bring real results in the contribution of IP to economic development, especially in developing countries. A one-size-fits-all approach was unlikely to work. One should recognize the rights of developing countries and LDCs to select different standards of protection than the ones that prevailed in high-income countries with different technological and financial capacities. The DA Recommendations should guide WIPO's development activities at the program level, with the objective of giving increased prominence and clarity and the linkages between the program and relevant DA Recommendations. All WIPO committees should submit detailed reports on the implementation of the respective DA Recommendations. The reports should go beyond compiling the statements of delegations on the subject. The Delegation supported all efforts to implement the recommendation of the Independent Review. It called for further action and follow-up in the implementation of those recommendations and invited all Member States to constructively engage in the discussion, in particular on the adoption of Recommendations 5 and 11. Development considerations and the SDGs were cross-cutting topics that should be mainstreamed across all WIPO strategic goals. Innovation was an important tool to curate solutions to development challenges and had an impact on many of the SDGs. The Secretariat should maintain its cooperation with other UN agencies relevant to WIPO's mandate and continue monitoring and contributing to various processes. WIPO's engagement and activities in the framework of the UN Interagency Task Team was a positive contribution in addressing SDGs. The agenda item on "IP and Development" could be a valuable platform to advance the level of discussion to cover a broader realm regarding the relationship between IP and development. The Delegation looked forward to the discussion on the topic of IP and development. It reiterated its support for the organization of a periodic international conference on IP and development. It would provide more detailed comments on each agenda item.

28. The Delegation of Brazil aligned itself with the statement made by the Delegation of El Salvador on behalf of GRULAC. The multilateral rules-based system had been the cornerstone of the international community in the past century and it had to continue to go forward. The CDIP was the only multilateral forum expressly created for the purpose of exchanging ideas and experiences on topics related to IP and development. The Committee reflected the results of the efforts to mainstream the DA into the organization's institutional framework. The forum should be used to discuss not only topics in which one had long-standing and traditional development interests, but also issues at the frontier of the economy where one's interests would likely grow in the future. There had been creative ways in the past to reconcile the territorial character of IP with the accelerating pace of globalization – the Patent Cooperation Treaty (PCT) or the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks ("the Madrid Protocol"). Yet the fourth industrial revolution with exponential advances in IT, artificial intelligence and other areas by further pushing the boundaries was forcing people to do some very hard thinking. WIPO faced the challenge to adapt and devise new IP policies for those new realities, but should not lose sight of the development perspective essential to bridge the significant knowledge gap and digital divide that continued to separate the wealthy nations from the poor. One had to ensure that the fruits of human ingenuity were enjoyed as widely as possible worldwide while preserving proper incentives and rewards for innovators and creators. That was of utmost importance to the credibility and legitimacy of the IP system. In order to fulfill that objective, the CDIP had to do more on SDGs. WIPO, as a specialized agency of the UN, should make a substantive

contribution to the achievement of SDGs. CDIP members had the collective responsibility to reflect on how the CDIP could encourage the appropriate and comprehensive treatment the topic deserved in WIPO. Similarly, CDIP members had to make further strides implementing the work program under the item on “IP and Development”, taking into account the topics contained in document CDIP/21/8 Rev. but also new ideas brought forward by other members, such as the one presented by the Delegations of Indonesia and the UAE (CDIP/22/17). It was equally important to move forward with the discussion on recommendations of the Independent Review, those adopted and the remaining ones. In that sense, it commended the constructive proposal put forward by the Delegation of South Africa, which could help overcome the impasse related to Recommendations 5 and 11. It said that it was time to approve the proposal of the African Group concerning the Biennial Organization of an International Conference on IP and Development (document CDIP/20/8). The proposal stood on its own merits, thus Member States should not link or condition its approval to other matters. The CDIP had a key role in mainstreaming the DA into WIPO's activities, thus its role should not be confined to the implementation of projects. Yet the implementation of projects was an important means to achieve concrete results in terms of IP and development in the CDIP. The Delegation would present its proposal for a pilot project on Copyright and the Distribution of Content in the Digital Environment in some Latin American countries (CDIP/22/15). It hoped to count on the support of all Member States to approve it at the current session of the CDIP.

29. The Delegation of Pakistan aligned itself with the statement made by the Delegation of Indonesia on behalf of the APG. The work of the CDIP was important to support WIPO's mission for the development of a balanced and effective international IP system for the benefit of all. The work program for the implementation of the DA Recommendations hinged on the effective progress of the CDIP. WIPO had a key role to play in assisting Member States in acquiring their IP-related development objectives. Considering the cross-cutting nature of IP, a holistic approach that embedded all SDGs was integral to implement them. The Secretariat should focus on issues of fair and affordable access to IP protected technologies and come up with a roadmap to effectively implement the SDGs in their full dimension. The Delegation supported the proposal made by the Delegation of Brazil for including a permanent agenda item on the implementation of the SDGs in the CDIP to have sustainable feedback on the subject. It looked forward to discussions on pending issues, including the adoption of Recommendations 5 and 11 of the Independent Review. It urged the Secretariat to formulate specific actions and tasks to be undertaken for implementing the adopted recommendations. It appreciated WIPO's efforts in completing the delivery of technical assistance to Member States. However, to ensure effective delivery of technical assistance, one needed to devise an institutional mechanism to avoid duplication in the utilization of resources. It encouraged the Secretariat to develop a comprehensive manual on technical assistance that could help countries assess the scope of possible technical assistance activities and include information on focal points within WIPO for each category of specified technical assistance activity. It supported the revised proposal of the African Group on a Biennial International Conference on IP and Development (CDIP/20/8). Convening the conference regularly in the future would enable participants to discuss the relevance of IP to social, economic and cultural development. The proposed project by the Delegation of the Republic of Kenya on enhancing the use of IP in the software sector sought to facilitate access to IP information for developers of mobile applications. That proposal merited positive discussion. It looked forward to constructive discussions on the project proposals made by the Delegations of Brazil, Peru and Burkina Faso. The discussion on the theme of Women and IP under the new agenda item on “IP and Development” would be important and it should also focus on the challenges that women faced in accessing IP protected technologies in relation to their economic and social growth and empowerment. Similarly, future themes on the agenda item “IP and Development” should not only consider positive impacts of IP, but also the challenges in terms of access to technology and the costs to development of IP laws and policies, particularly for developing countries. The Secretariat should consider compiling a review of the literature on the relationship between IP and innovation to test certain conventional assumptions on IP and find effective solutions.

30. The Delegation of Malaysia aligned itself with the statement delivered by the Delegation of Indonesia on behalf of the APG. It stated that IP assumed a central position in the economic system and its intrinsic link with development was increasingly recognized as a cross-cutting policy issue that touched everyday life, for example: the role of patents in pharmaceutical innovation and in access to affordable medicines, the promotion and protection of biodiversity and the fair and equitable sharing of benefits arising from the commercialization of products derived from genetic resources and traditional knowledge and the role of copyright and the dissemination of information and promotion of education. The WIPO DA and its 45 recommendations along with the 2030 Agenda and the 17 SDGs further underscored the important role of WIPO not only in promoting creative and intellectual activity but also in facilitating the related technology transfer to developing countries in order to accelerate economic, social and cultural development. Therefore, IP should not be considered as an end in itself but should act as an instrument for technological development for the benefit of society as a whole. Against the backdrop of the fourth industrial revolution, the IP divide that existed between developed and LDCs might become increasingly substantial. The CDIP, therefore, served as a crucial platform for those discussions, considering that the mandate of the Committee was to ensure the mainstreaming of the DA and the SDGs into the work of WIPO through monitoring, assessing and reporting mechanisms. Appropriate capacity building and technology transfer systems were crucial for the developing countries to pursue the SDGs and flourish in a knowledge-based economy. The Delegation recognized the implementation of various WIPO projects undertaken in that regard. It noted the detailed information contained in the Progress Reports (CDIP/22/2) and looked forward to discussing that item further. Technical assistance was another area of importance and it welcomed more in-depth discussions on that subject, especially during the interactive dialogue, with the hope of arriving at more effective, coherent and optimal technical assistance projects. It looked forward to the discussion on the implementation of the recommendations of the Independent Review with the hope that the CDIP would be able to resolve the differences on recommendations 5 and 11 of the Independent Review and subsequently adopt those two outstanding recommendations. Encouraged by the outcome of the International Conference on IP and Development held in April 2016, it supported the proposal for the biennial organization of the conference. It believed the congregation of policymakers, IP and development practitioners, academia, IOs and civil society organizations (CSOs) would allow for a rich exchange on IP as a tool for development. It looked forward to further engaging on the African Group's proposal. It placed great importance on the agenda item on "IP and Development". Its inclusion as a standing item in the discussions of the CDIP not only facilitated the implementation of the third pillar of the Committee's mandate but also allowed for a more focused discussion. It recognized the inclusion of an important aspect of IP and development under that item, which was women. Women remained underrepresented in many areas, notably in innovation and IP, and the opening of that discussion would contribute to the commitment and the work of advancing the inclusion of women in those areas. It also welcomed various other proposal submissions under that agenda item and looked forward to meaningful exchange in the effort to maximize the contribution of IP in advancing development. Article 7 of the TRIPS Agreement alluded to striking a balance between the interests of innovators and those of the larger public. One notable example was the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled (the Marrakesh Treaty) which proved IP as a useful tool for social, economic and cultural development. With the right political will, such an achievement which benefited the whole of society could be replicated.

31. The Delegation of Burkina Faso supported the statement made by the Delegation of Morocco on behalf of the African Group. It was very pleased by the progress made in the implementation of the DA. Burkina Faso had always benefited from the support of WIPO, particularly under the project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II. The implementation of that project had been very successful. The Delegation proposed a new project on Strengthening and

Development of the Music Sector in Burkina Faso and in Certain African Countries, as the music industry was facing challenges due to the development of digital technologies. The Delegation gave great importance to the work of the CDIP. It hoped that Member States would support the proposal, allowing the continuous implementation of DA Recommendations, which was essential for development in the IP field. The Delegation also hoped that the proposal of the African Group on holding a Biennial Conference on IP and Development would have a favorable outcome.

32. The Delegation of Egypt supported the statement made by the Delegation of Morocco on behalf of the African Group. It looked forward to constructive dialogue and discussions in the session. The standing item on the agenda on “IP and Development” represented a great improvement in the efforts of implementing the SDGs, but the Delegation still looked forward to its further implementation through a number of proposals focusing on the socio-economic development aspects and the role of IP in the SDGs. It was also interested in the discussions on Women and IP. It called for further joint efforts in supporting technical assistance provided by WIPO, especially to developing countries and LDCs. The Delegation reaffirmed the importance of transfer of technology. It supported the proposal of the African Group on holding a Biennial Conference on IP and Development, and it looked forward to further discussions in order to achieve the best result. It looked forward to a consultative engagement during the session on all agenda items in order to achieve the aspired positive results.

33. The Delegation of Bolivia supported the statement made by the Delegation of El Salvador on behalf of GRULAC. It welcomed the work of the CDIP and believed that the projects and programs might contribute to strengthening the role of IP in the DA, but principally, the 2030 Agenda and the SDGs. It hoped that Bolivia would be able to soon benefit from activities delivered by WIPO. Bolivia was a country with unique cultural, artistic and biological wealth to protect, promote, research and develop. Under DA Recommendation 37, one should study how IP could contribute effectively to the development of countries. The 45 DA Recommendations should not be considered as sufficient in order to eliminate inequalities in the world. They serve as a framework for action, which was already interesting and represented progress, but one needed to look more deeply at the work of WIPO as a whole to avoid leaving anybody behind. For WIPO, there had to be a remedial, healthy, transparent innovation system that would encourage human beings to develop and express their creativity, not at cost of the poorest, but rather to improve the wellbeing of all. The agenda of the session was encouraging and the topics included were of interest to all members. However, other topics could also be included in future. It was particularly motivating to see proposals from countries of the GRULAC region. It noted those proposals and expressed its hope in the work of the CDIP.

34. The Delegation of Senegal supported the statement of the Delegation of Morocco on behalf of the African Group. It reiterated its support for the work of the CDIP, which was extremely valuable and should allow WIPO to fulfil its development mandate, the SDGs and the optimal implementation of the DA Recommendations. It should serve as a foundation for the CDIP’s current and future work. The Delegation was delighted about the debate on technical assistance, which should assist the developing countries and LDCs and support the IP infrastructure. The CDIP was an excellent forum for the exchange of experiences and best practices in order to develop the IP system. The proposal for a Biennial Conference on IP and Development was a great contribution and should receive the support of the Committee. That proposal had support from a number of Member States. It thanked the Delegation of Burkina Faso for its proposal for a new project on Strengthening and Development of the Music Sector in Burkina Faso and in Certain African Countries, and supported the proposal. It expressed its willingness to be one of the countries benefitting from it.

35. The Delegation of the United Arab Emirates (UAE) expressed its thanks to WIPO for its continuous efforts in seeking to establish an international system that would uphold the principles of IP and stressed its role in achieving the requirements of development in the UAE.

The UAE had systematically adopted policies that supported IP in accordance with its international commitments. Since the 21<sup>st</sup> session of the CDIP, it had established, in cooperation with WIPO, several events on the national and international levels. Those sought to uphold the various aspects of protection and to reinforce information and outreach regarding IP. It also welcomed the interim reports that indicated progress in the implementation of the DA projects. That shed a light on the efforts undertaken by WIPO to fulfill the DA. It had expressed its interest in benefiting from the experience of those various projects. It encouraged Member States to consider the work proposed under the agenda item 7 (“Consideration of work program for implementation of adopted recommendations”) and to consider them in a constructive and comprehensive manner so that it benefited all. The topics for discussion under agenda item 8 “IP and Development”, had acquired increasing importance at the international level. The Delegation further highlighted the importance of the current subject on Women and IP as it sought to uphold the role of women in all sectors. The Delegation pointed out its endeavors jointly with the Delegation of Indonesia, for a proposal on IP and Creative Economy (CDIP/22/17). It looked forward to actively participating in the session.

36. The Delegation of Cuba stated that WIPO’s DA was one of the main pillars of the Organization. The results achieved under the DA through the implementation of projects showed great progress. However, there was a need for Member States to establish a dialogue on IP and development as part of the third pillar of the CDIP in a continuous manner. The budget of the Organization needed to continue to be allocated to the effective implementation of the DA Recommendations and other development cooperation activities. The DA must ensure a balanced IP system in accordance with national IP policies and to help achieve the SDGs. The Delegation recognized the need for applying the Coordination Mechanisms and it hoped to obtain results on that. The DA should go beyond projects and should be mainstreamed in all WIPO activities. The Delegation supported the African Group’s proposal on a Biennial Conference on IP and Development (CDIP/20/8). It also supported the statement by the Delegation of El Salvador, on behalf of GRULAC.

37. The Delegation of Thailand aligned itself with the statement made by the Delegation of Indonesia on behalf of the APG. It was fully committed to supporting 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. It stated that on the agenda of the current session, there were both new and pending proposals to be discussed. The Delegation was open to consider any new proposals that would help advance the common strategic goal of facilitating the use of IP for development. It welcomed the Director General’s remarks to the effect that 20 per cent of WIPO’s revenue had been devoted to development. It welcomed the outcome of the study on Understanding the Use of Industrial Design in South-East Asian countries (CDIP/22/INF/2). The Delegation also looked forward to engaging in the interactive dialogue on technical assistance. It pointed out the long-standing issue on convening an International Conference on IP and Development submitted by the African Group (CDIP/20/8) and expressed its hope to find mutually acceptable solutions to all the pending proposals.

38. The Delegation of Uganda aligned itself with the statement made by the Delegation of Morocco, on behalf of the African Group. It reiterated the importance of IP as a tool for development for all. In Uganda land which had been the primary factor for production for the main industry of agriculture was limited, leaving the majority of able men and women to rely on the infinite resource of human ingenuity and creativity. With over 70 per cent of the population below 30 years of age and in their prime years of productivity, it was key to make available all tools, including IP tools, to harness that dividend. It treated the work of the CDIP with the utmost importance to supplement and complement national initiatives. The Delegation appreciated the Secretariat for the support with cooperation activities and projects held in Uganda, including; the formulation of the draft national IP policy; training of patent examiners in substantive examination; the study on Enhancing Innovation in the Agri-Food Sector in Uganda (CDIP/21/INF/3); capacity building through the WIPO academy; establishment of the TISC,

among others. However, there were still certain constraints, some of which the CDIP could use to adopt strategic interventions. The Delegation expressed appreciation for being considered as a pilot country for the project on Increasing the Role of Women in Innovation and Entrepreneurship, Encouraging Women in Developing Countries to Use the Intellectual Property System (CDIP/21/12 Rev.). It looked forward to working with WIPO for its successful implementation.

39. The Delegation of South Africa aligned itself with the statement delivered by the Delegation of Morocco on behalf of the African Group. The Committee was at a watershed, having a first discussion under the long-awaited agenda item on “IP and Development”. It was most appropriate that the item being discussed was “Women and IP,” especially as part of the 2018 World IP Day’s theme of “Powering Change: Women in Innovation and Creativity.” It welcomed the interactive dialogue on technical assistance. South Africa had partnered with WIPO in a number of instances on technical assistance. However, its most pertinent learning was that it had almost always coupled it with capacity development. Technical assistance and capacity development were not mutually exclusive activities. Experience showed that the impact was more significant and the intervention increasingly more sustainable when technical assistance and capacity development were deployed together. That was particularly true for the large number of databases generated by WIPO. Those databases were useful tools but in the absence of a capacity development, intervention remained a so-called “white elephant” for most developing countries. The Delegation referred to document CDIP/22/7 entitled “List of Indicators to Assess WIPO’s Technology Transfer Services and Activities”. The report indicated that, most of the activities conducted under Cluster C of the DA Recommendations were events-based, with an apparent gap in the area of technical assistance, projects, partnerships and compilations, and the notable sparse inclusion of capacity development-related services and activities. When it came to indicators, the Delegation supported SMART indicators, and requested that WIPO went beyond activity-based indicators and moved towards the requested gap-related indicators, which would reflect the real, on-the-ground gaps in terms of addressing the DA Recommendations under Cluster C. It hoped to reach consensus on documents CDIP/18/7, CDIP/19/3 and CDIP/22/4 Rev. The changes in the Results-Based Management framework to link the program and budget expenditure to expected results left one or more DA Recommendations vulnerable to not receiving an allocated budget. It reiterated its request for a mapping of the DA Recommendations to one or more expected results that would enable the CDIP to make a more informed decision around Recommendations 5 and 11 of the Independent Review. Regarding the adopted Recommendation 1 of the Independent Review, a higher-level debate would find most appropriate implementation through a conference. The African Group proposal was a perfect fit and, as that Recommendation had already been adopted, it strongly urged all delegations to support the African Group proposal. The Delegation said that the African Group had shown sufficient flexibility and stood united in support of the adoption of that proposal for implementation at the 23<sup>rd</sup> or 24<sup>th</sup> sessions of the CDIP. The SDGs had 230 actual indicators. No impact indicators had ever been developed, 11 years later, for the DA Recommendations. The Delegation found that strange. If one was to assess the impact of the DA Recommendations, one needed indicators. It called for such indicators to be developed.

40. The Delegation of Côte d'Ivoire supported the statement by the Delegation of Morocco, on behalf of the African Group. It was always enthusiastic about participating in the CDIP sessions, because it wanted to see the 45 DA Recommendations put into practice and restoring a balanced and equitable IP system worldwide. Thus, by giving priority to development, the CDIP deserved all its attention. It thanked WIPO for the project on Strengthening the Audiovisual sector in Burkina Faso and other African Countries and also supported the project proposal on Strengthening and Developing the Music Sector in Burkina Faso and other African Countries (CDIP/22/12). The Delegation expressed interest in participating in that project. It also welcomed the thematic areas of work, which were all very interesting. It wished to see the

CDIP's role and effectiveness strengthened to allow WIPO to fully carry out its mission within the UN system as regards the DA.

41. The Delegation of Japan aligned itself with the statement made by the Delegation of Canada, on behalf of Group B. Since 1987, every year, the Japanese government had made voluntary contributions to WIPO for its development initiatives in the field of IP rights. In 2018, Japan had donated 5.9 million Swiss francs, as it had done the year before. Making effective use of the Japan Funds-in-Trust, 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. That included welcoming more than 1,800 trainees, since 1996, from 59 countries and four regional IP offices, holding various workshops and seminars, and sending more than 300 of its own experts to 38 countries since 1987. Also, through the Japan Funds-in-Trust, Japan had been assisting WIPO to advance initiatives created to enhance both technical and knowledge infrastructures. That included projects to digitize documents filed in paper form, and improve IT infrastructures in IP offices. In addition, in the field of copyright, Japan had welcomed more than 350 trainees from 27 countries in the Asia-Pacific region. The Japan Funds-in-Trust had supported the development of the culture and contents industry, by establishing copyright systems and developing human resources in that region. Its cooperative and assistance activities for developing countries, under the support of the Japan Funds-in-Trust, boasted a long history, with many outstanding achievements. The Japan Funds-in-Trust commemorated its 30<sup>th</sup> anniversary in fiscal-year 2017. The Japan Funds-in-Trust for Africa and LDCs had been established by the Japanese government in 2008, after the adoption of the WIPO DA Recommendations. The Funds marked their 10<sup>th</sup> anniversary in fiscal year 2018. In celebrating the Funds' 10<sup>th</sup> anniversary, WIPO and the Japan Patent Office had held side-events during the 2018 WIPO GA. The Japan Funds-in-Trust for Africa and LDCs aimed to increase awareness of the importance of the industrial property system for economic and technological development, assist developing countries in establishing or strengthening their industrial property laws and institutions, foster the development of capacities in the administration and use of the industrial property system. The activities of the fund were taking place in close cooperation with the African Regional Intellectual Property Organization (ARIPO) and the African Intellectual Property Organization (OAPI). It recognized the importance of conducting development activities effectively and efficiently, in line with the objective of WIPO to promote the protection of IP. The Delegation said that the Japanese government, in cooperation with WIPO, was committed to further improving its cooperative initiatives to ensure that the Japan Funds were used even more efficiently and effectively. It looked forward to contributing the work of the CDIP.

42. The Delegation of Nepal associated itself with the statement delivered by the Delegation of Indonesia, on behalf of the APG. The CDIP was crucial for a country like Nepal. The myriad of activities undertaken by the CDIP in training and capacity building, development of IP policies, strategic institutions, establishment of technology and innovation support centers, providing knowledge platforms and transforming the informal sectors, were significant. All 45 DA Recommendations were truly important and would contribute to the achievement of the SDGs. The Delegation stated that the Government of Nepal had adopted a comprehensive national IP policy in 2017, which provided a sound framework and met the standards of the international IP system. It said that Nepal was also in the process of formulating IP acts and regulations in tandem with relevant international treaties. Setting up an integrated IP office to implement the integrated policy was its current priority. Through that standardization process, all categories of IP rights would be provided with effective and adequate protection, accommodating both the rights of creators and society at large. Nepal was among the few countries which ensured that IP rights were fundamental rights. The CDIP was an important Committee and should continue to be guided by the principle of mainstreaming development in all WIPO activities. It supported the active role of the CDIP in guiding WIPO in efforts to implement the SDGs. Nepal was a beneficiary country of some WIPO activities, especially the training project under the Accessible Books Consortium (ABC). It found the agenda item on

Women and IP important, and thanked the Delegation of Mexico for its proposal (CDIP/22/16). It was confident that IP contributed to achieve gender equality and mainstreaming of women.

43. The Delegation of Germany aligned itself with the statement by the Delegations of Austria on behalf of the EU, and of Canada on behalf of Group B.

44. The representative of Health and Environment Program (HEP) called on the Secretariat to include African women NGO leaders in meetings on women in WIPO. At the GA and in other committees the representation of African women was not high. The representative invited the Chair to make a gesture to integrate everyone. She noted that there were not many African NGOs in the CDIP. She had been participating since 2001 in WIPO committees, such as IGC, and was not recognized as somebody belonging to an indigenous people, which meant that she could not participate in the Indigenous Caucus. In the CDIP, in order to achieve development, countries like Cameroon, a country rich with 280 ethnic groups, some English and some French-speaking, should be fully part of the DA projects defined under Agenda 2030. Equality among countries and between men and women was a concern. The representative appealed to other states to support that point of view.

45. The representative of the European Law Students Association (ELSA) International thanked WIPO for the opportunity to take part in such important meetings. It expressed deep satisfaction with the topics, projects and proposals under discussion since they showed a willingness to evolve, collaborate and respond to IP challenges and related topics. Also, the desire of cooperation and exploring new forums of sharing information, knowledge, and specific developments showed that it was on the right path, the path of communication, joint learning and consistency. As an association promoting and creating awareness regarding human rights, it was glad with the steps taken in order to grant them respect and promotion in IP-related matters.

46. The Delegation of Zimbabwe fully aligned itself with the statement made by the Delegation of Morocco, on behalf of the African Group. It welcomed the Progress Reports (CDIP/22/2) on various projects and underscored the centrality of IP to achieving the DA Recommendations. Technical assistance and capacity building were fundamental to the mainstreaming of IP initiatives in the developing world. The Zimbabwe IP Implementation Policy Strategy had been launched and required substantial technical and capacity building for its implementation. It looked forward to the interactive dialogue on technical assistance and discussions on development assistance. The proposal by the African Group on holding a Biennial International Conference on IP and Development (CDIP/20/8) was fundamental to the development initiatives of WIPO. It urged all Member States to accept the proposal and to negotiate in the spirit of good faith. It welcomed the discussion on IP and development with the focus on Women and IP and looked forward to making a positive contribution to the discussions.

47. The Delegation of Trinidad and Tobago was well aware of the efforts made by WIPO to ensure that applicable recommendations be drafted and implemented so as to further the state of IP not only in Trinidad and Tobago but also in other developing nations. The recommendations were well structured for the continued development and expansion in the realm of IP. It supported the proposals by the Delegations of Peru, Mexico and Brazil as well as studies on IP and software for the GRULAC region, with an emphasis on the Caribbean region. Trinidad and Tobago's ever-expanding economy had laid the foundation for extensive IP use. It sought to encourage entrepreneurs and researchers to get into harnessing the economics of the IP system. For instance, the Trinidad and Tobago Intellectual Property Office (TTIPO) had partnered with the Caribbean Industrial Research Institute (CARIRI) to educate potential developers of mobile applications (apps) about their IP rights. The interested parties presented their ideas to the Caribbean Industrial Research Institute (CARIRI), which assessed their entrepreneurial capabilities and determined whether to sponsor the development of the apps. The Delegation stated it had actively participated in CDIP meetings and its previous iterations

and fully appreciated the WIPO Secretariat's support. It encouraged WIPO to continue the good support of such rich endeavors as they could well inform the template for any repositioning of WIPO in future. With respect to implementation, it recognized that much of the success of the CDIP depended on Member States' commitment.

## **AGENDA ITEM 6: MONITOR, ASSESS, DISCUSS AND REPORT ON THE IMPLEMENTATION OF ALL DEVELOPMENT AGENDA RECOMMENDATIONS**

### Document under consideration CDIP/22/2 – Progress Reports

48. The Chair invited the Secretariat to introduce the progress report on the project on Intellectual Property Management and Transfer of Technology: Promoting the Effective Use of Intellectual Property in Developing Countries, Least Developed Countries and Countries with Economies in Transition, contained in Annex I of the document CDIP/22/2.

49. The Secretariat (Mr. Andrew Czajkowski) introduced the progress report indicated in Annex I of document CDIP/22/2, which referred to the project described in document CDIP/19/11 Rev. on Intellectual Property Management and Transfer of Technology: Promoting the Effective Use of Intellectual Property in Developing Countries, Least Developed Countries and Countries with Economies in Transition. The overall objective of the project aimed to establish a framework to target more effectively capacity building activities in the field of technology transfer through the development of a comprehensive capacity building needs assessment methodology, to allow the needs of the key role players in the categories of funders, developers, managers and users of IP within the innovation value chain to be identified and addressed more effectively. The project implementation had started at the end of 2017. A first draft of a manual describing the training needs assessment methodology and a toolkit including survey and interview templates had been submitted by the training needs assessment expert in June 2018. In parallel, the country experts working in collaboration with key country government contacts to help identify relevant institutions had prepared detailed mappings of innovation value chains in their countries, highlighting in particular the roles and relationships of the key players. The mapping reports had also been finalized and submitted at the end of June. A meeting had been organized in July 2018 in Geneva with the training needs assessment expert, the four country experts and the WIPO project team to review the draft manual and toolkit, to examine the submitted innovation value chain mappings, as well as to discuss the preparation of reports, using the manual and toolkit to assess training needs and to propose training solutions for the identified key role players. Those reports had been completed and submitted in October 2018. Taking into consideration the intended practical and easy-to-use nature of the manual and toolkit in preparing training needs assessment reports, the country experts also provided comments and recommendations on how to improve the manual and toolkit so as to make it as useful and practical as possible, based on their experiences in using the manual and toolkit in preparing their respective reports. A revised version of the manual and toolkit was expected by the end of 2018. The country experts, in consultation with the WIPO project team, were also using their assessment reports as a basis to develop training plans so as to respond to the training needs of the key role players. Those plans were expected to be finalized by the end of 2018. The next phase of the project, starting from January and continuing throughout 2019, would focus on implementing the training plans and the respective capacity building activities as deemed necessary in the four pilot countries. The project was running on schedule and within budget as originally planned.

50. The Chair opened the floor for any observations, comments or questions.

51. The Delegation of Indonesia, speaking in its national capacity, took note of the documents under agenda item 6. The Delegation was pleased to be one of the pilot countries for the Project on Intellectual Property Management and Transfer of Technology: Promoting the

Effective Use of Intellectual Property in Developing Countries, Least Developed Countries and Countries with Economies in Transition. The project was particularly relevant in the context of the DA. It sought to promote how developing and emerging economies such as Indonesia could benefit from capacity development and IP management and transfer of technology which subsequently would enhance innovation. The project had begun in 2018 and was expected to be completed in 2019. The project offered an opportunity to review policies with regard to IP management and transfer of technology. It also allowed consideration of a more development-oriented approach, in line with its national priorities, capacities and needs. Indonesia had conducted a series of national consultations and interviews with key organizations in the innovation value chains, the results of which were reflected in the assessment and recommendations submitted by the expert. The report also had the benefit of providing the Government with a greater understanding of the country's innovation value chains and to acquire the training needs among elements of the innovation value chain. The report provided a comprehensive overview of the training needs assessment data for each targeted organization and any trends that were observed throughout organizations in the country and helped to establish training activities that best suited its needs. It looked forward to the implementation phase of the training activities, which would include national activities, distance learning and participation in educational programs. The Delegation was enthusiastic to work with WIPO on capacity building activities that comprised practical training workshops on effective technology commercialization and IP management with the aim to make national IP institutions more efficient and to promote fair balance between IP protection and the public interest. It was confident that the results of the project would show-case how the strategic use of IP tools and policy could create opportunities for socio-economic development.

52. The Delegation of Iran (Islamic Republic of) took note of the information in the Progress Reports contained in document CDIP/22/2. That high-quality report provided invaluable information on progress achieved in the implementation of the DA projects. The report provided a comprehensive overview of the implementation of the 45 Recommendations and their links to related programs in the Program and Budget. The format and structure of the progress report were good, in particular the project's self-evaluation part. With regard to the different projects referred to in the document, it highlighted the progress of the Project on Intellectual Property Management and Transfer of Technology: Promoting the Effective Use of Intellectual Property in Developing Countries, Least Developed Countries and Countries with Economies in Transition. It highlighted the significance of the objectives of those projects, which were to enhance the innovation capacities of that group of countries by deploying training, capacity building opportunities, cooperating opportunities and learning materials. The outputs of that project would be beneficial to many Member States.

53. The Delegation of Austria, speaking on behalf of the EU and its member states, noted that document CDIP/22/2 emphasized the comprehensiveness of the reports regarding various DA projects, as well as the implementation of the DA Recommendations. The work delivered by the Secretariat provided an excellent overview of the status of each project, further steps to be taken and the implementation timeline as well as the relevant budget. The Delegation of EU and its member states recognized that the structure regarding the implementation of the DA Recommendations was illustrated in a clearer manner than before, allowing the recipient a smooth navigation and overview. It satisfactorily took note of the achievements laid down in the various reports, for example the effective use of IP proved to be a valuable tool for technology transfer, especially in developing countries. The reported projects were the precious result of the implementation of the DA and it thanked WIPO for the impressive work that reflected.

54. The Delegation of Morocco, speaking on behalf of the African Group, took note of the Progress Reports Recommendations contained in document CDIP/22/2, which gave an overview of the activities carried out within the framework of the CDIP. It reiterated its strong interests in the work carried out within the CDIP and said that the implementation of those projects was the best way in which WIPO could play its role in providing assistance to states. It

was important that that assistance be based on the real needs and expectations of Member States in accordance with the development priorities defined by the states and tailored to the level of development of each country. It welcomed the fact that the Secretariat had taken into account in its implementation strategy the need to draw up a number of tools to identify needs and to help with assessment at all stages of implementation to ensure that the projects carried out could bring real added value to the development of the beneficiary countries. With regard to projects underway, implementation was taking place to its satisfaction, taking into account the use of the budgets allocated and respecting the timeframes. It took note of the progress in the Project on Intellectual Property Management and Transfer of Technology: Promoting the Effective Use of Intellectual Property in Developing Countries, Least Developed Countries and Countries with Economies in Transition. That project had advanced well and met its initial results which suggested that there would be satisfactory results. It noted the delay in launching certain projects and the extension of others, the Project on the Use of Information in the Public Domain for Economic Development and on the Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries - Phase II, which had not led to an increase in the budget. That should give the Secretariat greater latitude in pursuing implementation of new projects. It proposed the extension of the Project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II. With regard to the project on Cooperation on Development and Intellectual Property Rights Education and Professional Training with Judicial Training Institutions in Developing and Least Developed Countries, it welcomed the fact that the expected results were achieved in the period July 2017-July 2018 and welcomed the decision of the Secretariat to extend the project for a further five months in order to increase the results. It recommended, as suggested in the report, that that project be integrated into the regular work of WIPO, to allow the Secretariat to respond to other requests for training in the same area. It asked for further information on the use of the budget allocated for the project, since the budget utilization rate was 97 per cent in spite of the level of implementation and the five-month extension.

55. The Delegation of South Africa thanked the Secretariat for the detailed update on the project, which was very close to its heart. It was delighted to see the progress taking place on budget and within timelines. That was due to the detailed project management approach deployed within that unit. It expressed its gratitude for the manner in which it had been handled.

56. The Delegation of Burkina Faso welcomed the report on the Project on the Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II. The project had helped to improve the use of the IP system with a view to financing the production and distribution of audiovisual works. It had also helped accelerate the implementation of effective infrastructure and framework for the better management of IP rights in the beneficiary countries, including Burkina Faso. As testimony to the importance of the said project, it had been very useful in Burkina Faso and certainly just as useful in other countries. In spite of the positive effects, it had not fully met its expectations and therefore it wished to see the project integrated into the regular WIPO activities to give an opportunity to other interested countries to request help and to benefit from the project.

57. There were no more comments from the floor. The Chair invited the Secretariat to present the progress report on the project on the Use of Information in the Public Domain for Economic Development.

58. The Secretariat (Mr. Alejandro Roca Campaña) referred to the project on the Use of Information in the Public Domain for Economic Development, contained in Annex II of document CDIP/22/2. That project responded to Recommendations 16 and 20, related to the preservation of the public domain and the promotion of guidelines which could assist interested Member States in identifying matters that had fallen into the public domain within their respective jurisdiction. The project built on three other projects on that subject, but also on the ongoing program activities to establish and develop technology and innovation support centers (TISC).

More specifically, the project aimed to supplement the existing TISC services by adding new services and tools to those currently provided, allowing them not only to identify inventions in the public domain but also to support inventors, researchers and entrepreneurs in using that information to generate new research outputs and products and thereby contributing to a more effective exploitation and use of inventions in the public domain as a source of generation of local knowledge. In line with the delivery strategy of the project, two practical guides had been prepared on the identification and use of inventions in the public domain. In order to ensure that the guides were adapted to the needs of TISC staff, researchers and entrepreneurs in developing countries, the guides had been disseminated and tested across selected TISCs in nine pilot countries: Republic of Kenya, South Africa, Morocco, Malaysia, the Philippines, Argentina, Colombia, Cuba and the Russian Federation. Seven experts with thorough knowledge on the subject matter had been selected in the pilot countries and appointed to lead the pilot process and to document and evaluate the TISC experiences in applying those guides. The process had started with a meeting in Geneva which brought together the two lead subject matter experts and seven country experts to discuss the content on the guides and to develop and harmonize effective approaches to the pilot process in each of the selected countries. Additional inputs were also sought from project development and technology transfer experts to assist with the review of the guides on using inventions in the public domain. The final drafts of the guides were produced in June and July respectively, and preparations had been initiated internally in line with a WIPO publication policy to seek approval for issuing the guide as WIPO publications, with professional and editorial design, in order to maximize the uptake and impacts. The project's third deliverable was on the development of an improved legal status portal, the Patent Register Portal. The Patent Register Portal had been developed in consultation with technical and substantive sectors within WIPO, and with the support of the UN Geospatial Information Section on the use of official UN international boundary data, as the portal included a map, and in order to ensure compliance with all relevant policies and rules of naming the countries within the map, and also to implement selected technical solutions for the new interface. In developing that portal, it had enhanced its contents. It covered over 200 jurisdictions, the information of which had been collected and made available in the portal through detailed information and detailed help files in order to ensure the availability of information regarding the legal status, search features and functions of online patent registers, patent protection particularities and search tips to assist in researching the legal status of patents, which was the main objective of the portal. Among the issues that required immediate attention from the CDIP, were that as reported in document CDIP/18/2, Annex V, the project had started with an initial delay of six months with actual activities starting in October. The procedures initiated following the approval of the CDIP in April to recruit temporary staff to coordinate project activities and to select the experts for the delivery of specific project outputs had been completed in September, allowing the implementation to start formally in October. Taking into account that initial six-month delay, as already reported in the project's effective start date, an extension of the availability of project resources had been requested to enable the delivery of all project outputs by April 2019. An extension of the availability of project resources had been requested within a 36-month timeframe provided in the project. There was also a need to move resources from non-personnel to personnel costs, of 50,000 Swiss francs, within the approved budget envelope allocated to the project. The project was on schedule and the portal and the two guides would be presented at a side event. The third and last phase of the project implementation, which was to provide technical assistance to different Member States in order to develop skills for TISCs in order to apply and implement the two guides, would start.

59. The Secretariat (Mr. Andrew Czajkowski) stated that the guides would be translated into all UN languages in the first quarter of 2019. He thanked the Member States for their feedback and their trust in the Secretariat.

60. The Chair opened the floor for comments, questions or observations. There were none. He then invited the Secretariat to introduce the progress report on the project on Cooperation

on Development and Intellectual Property Rights, Education and Professional Training with Judicial Training Institutions in Developing and Least Developed Countries.

61. The Secretariat (Mr. Mohamed Abderraouf Bdioui) recalled that in April 2016 the Committee had approved a project on Cooperation on Development and Intellectual Property Rights, Education and Professional Training with Judicial Training Institutions in Developing and Least Developed Countries (CDIP/16/7 Rev 2). The Project addressed DA Recommendations 3, 10 and 45. In July 2016, four pilot countries: Costa Rica, Lebanon, Nepal and Nigeria, had been selected as pilot countries. All components of that project had been implemented and all its objectives attained. The project would therefore conclude on December 31, 2018, following the organization of two additional training sessions in December. The budget utilization of the project was close to 95 per cent, all related to non-personnel costs. All through the implementation of the project, utmost importance had been given to certain key principles:

- (1) Coordination. All steps related to the design, planning and execution of the project were coordinated with the beneficiary countries. National project consultations designated by the pilot countries gave orientations and guidance as to the continuing education contents and formats to be developed in their respective countries.
- (2) National needs. The project responded to exact continuing education and developmental needs of the pilot countries. The regular coordination and needs assessment mechanisms established by the project helped considerably to meet those exact needs.
- (3) Sustainability. The entire project was conceptualized in such a way as to remain future-looking, long-lasting and sustainable. Built on the train-the-trainer model, it allowed for replicating the training by the judicial training institutions. At the conclusion of the project, the following key outputs had been achieved:
  - (1) development of a generic distance learning course on IP for the judiciary. The modules were developed, reviewed and adopted by a panel of experienced judges and professors representing different regions and traditions. The modules included main topics on IP, outlined core definitions and principles, and integrated more than 60 landmark court cases on IP, as well as modules on teaching methodologies and practical exercises. They were available in Arabic, English, French and Spanish.
  - (2) Based on the generic modules, four distinct national courses were customized and reviewed for the benefit of the pilot countries. The customization process was undertaken in full coordination with the national project consultants, taking into account the national laws, legal tradition and developmental needs of each pilot country. The customized modules had become the main training material for organizing different training sessions dedicated to judges in those countries.
  - (3) Customized instructor manuals, one for each pilot country, were also developed to guide the trainers in their continuing education performance.
  - (4) Multifaceted train-the-trainer programs were also developed. Special distance learning and face-to-face training sessions were organized for each pilot country in coordination with the respective judicial training institutions and the assistance of experienced international and national judges and professors. A total of 74 judges and other trainers, including 21 women, had received an average of 120 hours of theoretical and practical continuing education sessions on IP.
  - (5) With WIPO's assistance, specialized bibliographical materials on IP were offered to each judicial training institution. The publications were selected in full coordination with the pilot countries.
  - (6) With WIPO's assistance, each participating judge had been given free access to a database of more than 3.5 million court cases on IP from more than 110 countries for three years.
  - (7) Four national secured networks on information sharing and peer-to-peer learning among the judiciary of each pilot country had been established.
  - (8) A worldwide open access network for judges relating to WIPO treaties, cases, books and databases of national laws had been established.
  - (9) The WIPO Academy' eLearning platform was made available for use for continuing education purposes by judicial training institutions of each pilot country.
  - (10) For the convenience of judges and to facilitate access to information, all courses, networks and databases mentioned above had become accessible through mobile devices. All the above-mentioned outputs constituted the WIPO toolkit for continuing education for judges, as provided for in the project document. According to the evaluation forms distributed after each training session, all participants appreciated the continuing education program, indicating that it permitted them to consolidate their knowledge in IP and in adjudicating IP disputes more

efficiently and effectively. The reports received from the pilot countries were extremely positive. Some of them found that the benefits of the project exceeded their expectations. Beneficial judicial training institutions indicated that they would include IP in their regular continuing education programs using the recently developed modules for that purpose. Such a statement was a strong assurance of the sustainability of the project at the national level. The pilot countries requested that following the conclusion of the project, WIPO would continue to cooperate with them in order to consolidate the results achieved. The Secretariat expressed its thanks to the pilot countries for their support and commitment. The project provided for the presentation of an initial mapping of existing judicial training institutions offering continuing education on IP. As only 51 responses to the survey had been received from Member States, the results were treated with caution. The main information that could be extracted from the survey was the following: continuing education for judges was offered in 92 per cent of the responding countries. However, 44 per cent of judicial training institutions did not offer continuing education activities on IP to judges. About 55 per cent of the respondents indicated that the absence of training materials and the lack of specialized resource persons were the main challenges to access continuing education on IP. Fifty-six per cent of the participants found that the continuing education on IP provided by the national institutions in charge of continuing education was not very useful or not sufficient to manage and deliberate over IP litigation cases. In many cases, the content of continuing education on IP provided by countries remained either general or theoretical and not practical. In many countries, judges were either not exposed to education on IP or lacked particular education on IP that would be useful for their daily education on IP litigation.

62. The Chair opened the floor for comments.

63. The Delegation of Lebanon stated that it had been one of the pilot countries for the project. The Secretariat had given the outline of the project. WIPO had cooperated with the Ministry of Justice in Lebanon and in a very short time the project had been completed and had achieved its objectives with great success. Two workshops were organized for 20 IP judges, including women, selected by the Ministry of Justice, with the aim of protecting IP and training judges to enable them to meet the challenges in the field of IP and find solutions to thorny problems. They also benefited from the distance-learning training. The projects were duly customized to national needs. After completing that phase, the judiciary training institute was able to draw on the experience of those judges who had benefited from the WIPO training. New training material on IP had been introduced in their curricula and a guide had been drawn up for the benefit of judges. Among the positive results of the project, WIPO had donated a number of books on IP and important guides, thereby enriching the IP library. It thanked WIPO for the organization of that project and appreciated the commitment and hard work, of the project team. The cooperation between the Ministry of Justice and WIPO was useful. The Delegation was prepared to continue the project of training judges through various activities and make progress in the protection of IP in Lebanon.

64. The Delegation of Costa Rica stated that the competitive advantages deriving from creativity and inventiveness should find a correlation in juridical order and strong institutions that protected the rights derived from the recognition and protection of IP. Judicial training was, therefore, very important for the proper enforcement of those rights. It reiterated its appreciation for the support received from WIPO through the said project. As regards the study provided by the WIPO Academy, the distance learning module and the books donated to the judiciary school, those had been used for the training of future judges and for updating the knowledge of professionals in the judiciary.

65. The Delegation of the Dominican Republic expressed its thanks to the Secretariat for introducing the report on the project on Cooperation on Development in Intellectual Property Rights, Education and Professional Training with Judicial Training Institutions in Developing and Least Developed Countries. It highlighted the importance of the program for training the

judiciary in view of the great interest in IP in the Dominican Republic, which had led to an increase of court cases. That was an area of priority for the IP office. It urged the Secretariat to continue training trainers in more developing countries and congratulated the WIPO Academy on such an important initiative.

66. The Delegation of Morocco, speaking on behalf of the African Group, thanked the Secretariat for establishing and presenting that very important project. It welcomed the results of that project and the decision of the Secretariat to extend it by another five months in order to evaluate the results. It recommended, as suggested in the report, that it should become part of the long-term activities of WIPO so that the Secretariat could respond to other requests for similar trainings from other countries.

67. The Delegation of Nepal noted the detailed explanation of the project and the documents. Nepal was one of the beneficiary countries of that pilot project. It expressed its sincere appreciation to WIPO for the project that would end in December, 2018. A group of 13 high court and district court judges, as well as 20 government representatives, had participated in the online and face-to-face continuing education program with the collaboration of the Nepal Judicial Academy and WIPO. It thanked the resource persons and offices for the support with the project. The project was very useful to its judges. The Delegation was delighted to note that follow-up sessions would be held in the coming weeks. It would further give exposure to the training and offer a good evaluation of the progress made with respect to all main aspects of the training activities. It recalled the discussion held on October 22<sup>nd</sup> with the Secretariat about that project during the visit of the Nepalese Secretary for the Ministry of Industry, Commerce and Supplies' to WIPO in connection with the World Investment Forum in Geneva.

68. There were no more comments from the floor. The Chair invited the Secretariat to respond to comments by Member States.

69. The Secretariat (Mr. Mohamed Abderraouf Bdioui) took note of all the suggestions, particularly on the mainstreaming of the project as a regular WIPO activity, which would be considered internally.

70. The Chair invited the Secretariat to introduce the progress report of the project on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and other Developing Countries.

71. The Secretariat (Ms. Francesca Toso) reported on the Project on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and other Developing Countries, contained in Annex IV. The project was in its third year of implementation. The Secretariat highlighted the progress made in the period after the 21<sup>st</sup> session of the CDIP. In the life cycle of the project, there had been a number of changes in the project implementation teams in the four pilot countries. Those changes had resulted either in additional impetus for the benefit of the project implementation or in some hindrances that had slowed down progress. In Ecuador, remarkable progress had been made, mainly on three fronts. First, the cooperation with the Ministry of Tourism had proven to be a very positive and constructive strategy. It contributed to raise awareness on the use of IP tools in the context of tourism promotion. A number of training activities had been carried out or were planned in the future beyond the duration of the project between the National Intellectual Rights Service (SENADI) of Ecuador and the Ministry of Tourism. Second, the collaboration with universities in Ecuador was very positive. A curriculum had been developed to teach a course on IP and tourism and a set of training materials had been developed and made available, and those could be adapted for further use in other countries, if necessary. The third, was a specific project that had emerged in the course of the collaboration with the IP office of Ecuador: the Geo-Park project initiative. On those three fronts, the project was making good progress. The collaboration with the national IP office was very strong and productive. In the three other

countries, all of them had finalized a national study on the use of IP in connection with tourism, and promotion and capacity building initiatives had been organized. Concerning teaching materials, in Namibia and in Sri Lanka, two separate sets of teaching materials had been developed successfully and plans to start teaching a course were underway. The WIPO Secretariat also pursued a collaboration with the UN World Tourism Organization (UNWTO), as foreseen in the project document. It had discussed with the UNWTO the possibility of jointly publishing a set of guidelines on IP and tourism, and distributing that publication through the channels of the UNWTO which reached the tourism stakeholders. A lesson learned was that in order for a project to succeed, the direct involvement of project teams at the country level was extremely important. When those teams in turn reached out to stakeholders, national government, local government authorities, private sector businesses, and when those stakeholders became agents for further disseminating the message about using IP for tourism promotion, a project could leave an impact beyond its duration.

72. The Chair opened the floor for any comments, observations and questions.

73. The Delegation of Ecuador thanked WIPO for the help received in strengthening capacities in Ecuador, particularly within the IP, Tourism and Culture project. That project, in which it was involved in since 2016, had made it possible to set up spaces for dialogue between various actors, which had been very successful and had led to raising awareness in academia. The implementation of that project had encouraged national coordination between various public and private institutions to promote the use of IP tools for the development of the tourism and cultural sectors. It had worked hard to achieve the project's objectives, as there were many challenges. It had drawn up plans to achieve its national development projects.

74. The Delegation of Namibia fully associated itself with the statement by the Delegation of Morocco, on behalf of the African Group. It took note of the status of the progress report of WIPO-led projects, contained in document CDIP/22/2. It appreciated the progress, cooperation and support received from WIPO on the implementation of the project on IP, Tourism and Culture under which it was proud to be a pilot country. The project was at a third and final stage, which intended to raise awareness and strengthen capacities on the use of IP for tourism promotion among tourism stakeholders, policymakers and academic institutions. The project roadmap, to further implement the project under the responsibility of relevant institutions in substantive policy areas had been agreed upon. However, changes in the national project team in 2018 had impacted progress in its implementation, and therefore, more work needed to be done. In that connection, discussions were underway with the country's lead agencies to organize a new project team in order to establish realistic work plans for the remaining activities.

75. The Delegation of Egypt highlighted the positive outcomes of the said project in Egypt and the visit of the WIPO Project team in September 2018, which had been an opportunity to consider the progress made and to meet with the implementing agency and all those involved. The project aimed at making people aware of the link between IP and tourism, especially for people working in museums and dealing with IP aspects such as crafts. It also aimed at including IP subjects in curricula of universities. A number of workshops and conferences would be organized in Egypt to make people aware of the links between IP aspects with tourism and culture. The Delegation requested that the project be extended. It stressed the importance of coordination with those in charge of the project, and the importance of submitting new proposals to heighten awareness of the usefulness of IP tools and to learn from the experiences in Ecuador and in other countries.

76. There were no more observations from the floor. The Chair invited the Secretariat to respond to comments by Member States.

77. The Secretariat (Mr. Marcelo Di Pietro) thanked the delegations for their contributions and their involvement in the pilot project. It took note of the comments by the Delegations of

Namibia and Egypt on the expansion of activities due to certain factors that had delayed the implementation process.

78. There were no more observations from the floor. The Chair invited the Secretariat to introduce the progress report on the project on Strengthening the Audiovisual Industry in Burkina Faso and Certain African Countries – Phase II.

79. The Secretariat (Ms. Carole Croella) provided the progress report of the Project on Strengthening the Audiovisual Industry in Burkina Faso and Certain African Countries – Phase II. The project had started in June 2016 for a period of 30 months and was coming to an end. The project was a follow-up of project CDIP/9/13 based on the proposal by the Delegation of Burkina Faso. It initially included three countries: Burkina Faso, Republic of Kenya and Senegal, but after the positive evaluation of Phase I, the project had been extended to Morocco and Côte d'Ivoire. The main objective of Phase II was to support the development of the African audiovisual sector through increased understanding and use of the copyright system. A specific feature of the project was the integration of complementary, legal, economic and professional components to support the development of an effective audiovisual system in Africa in line with the industry's international standards. The project consisted of three main components: research, professional development and strengthening of the institution framework. All studies had been undertaken and finalized according to the terms of reference. The last study, presented at the 21<sup>st</sup> session of the CDIP, was on the development of economic data for the audiovisual sector. The Committee had considered that further attention should be given to this area, should additional resources be available. As regards training, all professional trainings had been planned in accordance with the terms of reference and were targeted at a wide range of professionals from film professionals to judges, lawyers, prosecutors, policymakers, broadcasters and digital platforms, among others. Two categories of stakeholders had been addressed with the trainings. First, lawyers and judges had benefited the first time from a training on audiovisual contracts, a matter completely unknown to them. Due to the considerable internationalization of the audiovisual sector, litigation had grown. It was important for the bar associations of those countries to benefit from such training. Second, communication with regulators who, in view of Africa's transition into digital television, had a key role to play in monitoring the activities of broadcasters and ensuring copyright and regulatory compliance. However, they lacked the proper training to fully perform their mission. Through the training, effective skills were shared with those entities. For example, following the training, the high authority of communication of Côte d'Ivoire was able to take some concrete steps to ensure copyright respect by broadcasters when granting new digital broadcasting licenses. The practical trainings enabled stakeholders to realize how to make effective and practical use of copyright to support their activities. Spontaneous training of trainers also took place. In some cases, some professionals became themselves advocates and initiated local trainings and initiatives addressed to other professionals who had not been targeted by the CDIP project. Emphasis was also put on other related matters, such as dispute resolution in the audiovisual sector. That ranged from specific training on arbitration and mediation in the audiovisual sector with the WIPO Arbitration and Mediation Center (AMC) to official agreements formalized with the WIPO AMC. Regarding the teaching component, one of the important features of that project was the development and finalization of a distance learning course. The next phase would be done in close cooperation with the WIPO Academy and would involve the pilot launch of the online distance course in 2019. The third component related to the management and institutional infrastructure, and one of the main objectives was to increase revenue generation through improved legal frameworks. In the digital environment, there was a steady growth of streaming services and cross-border broadcasting activities and streaming platforms in Africa, such as Netflix, Africa Magic, Canal A, to name a few, for which the licensing mechanisms and the skills were not yet in place. Those were multiple challenges to be addressed in a sustainable way. The project was meaningful to begin providing tools and skills to develop collective right management in the audiovisual sector, which was a fairly new area in most African countries. As regards the delivery method and the impact, the active involvement of

national project focal points was really instrumental to facilitate the identification of the objectives and implementation. The Secretariat appreciated the focal points of Burkina Faso, Morocco, Côte d'Ivoire, Republic of Kenya, and Senegal for their dedication. The project had benefited from a wide range of expertise both from international and African experts and senior executives from the audiovisual sector. As regards the risks, the project had experienced a few challenges linked to external factors. As an example, an activity had to be interrupted and rescheduled due to a major security issue. Lastly, a target group that was difficult to reach, was financial and banking institutions. However, coming towards the end of the project, some elements of increased confidence could be seen from those institutions and increased market demand could be witnessed from their side, which could not be fully addressed because of lack of time and resources. Over the implementation period, an improved tone had been witnessed in terms of dialogue between the various sectors of the industry and government authorities. There was also growing awareness of the necessity of written agreements for industry development, as a trust builder to attract support from financial institutions. As the project was ongoing in a fast-evolving sector, complementary activities needed to be sustained and expanded to ensure that the African film and audiovisual sectors could reach their full potential in terms of socio-economic development.

80. The Delegation of the Republic of Kenya pointed to a number of highlights of the project. The skillset for producers, distributors, actors, the communication authority and a few other support services necessary for the development of an optimum audiovisual sector had been raised. Capacity was built in terms of contract management and dispute resolution in that area of the judicial sector and legal professionals. An MoU was signed with the WIPO AMC to enable the Kenyan Corporate Board to offer support in mediation. As a result of the discussion with the producers and actors, there was a possibility of registering a collective society for the audiovisual sector. Those developments were very useful in the development of the audiovisual sector in Kenya. It looked forward to the mainstreaming of that project to enable other regions to benefit as well.

81. The Delegation of Burkina Faso thanked the Secretariat, which had spared no effort in ensuring the effective implementation of that project, in referring to its earlier statement.

82. The Delegation of Bolivia took note of the presentations of the progress reports and the very significant work done by WIPO. The methodology was easy to understand and the Secretariat had been quite clear as to how the projects were being implemented. It would continue to follow the process carefully and might come back with comments in due course.

83. The Delegation of Senegal noted the presentation of the report. The project had been implemented in a very satisfactory way in view of the excellent and regular coordination among the project manager and the national coordinator. The project supported the audiovisual sector in the beneficiary countries on the use of the copyright system for managing and monetizing the IP assets in order to make the most of their economic potential for the sector. The three stages of the project had been extremely useful: the distance-learning initiatives, the training activities and capacity building programs for professionals, and the strengthening of the regulatory framework. It highlighted the support for the new Audiovisual Communication Code in Senegal which would help all countries in Western Africa in the digital transformation. Even if not all the project's aspects had been fully carried out as expected, the Delegation was satisfied with the implementation of the project. It requested that the project be included in WIPO's regular technical assistance activities. It hoped to see the continued support of WIPO in consolidating the positive outcomes of the project.

84. The Delegation of Morocco, speaking on behalf of the African Group, noted the progress report on the Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries - Phase II. It paid tribute to the constant and determined approach

shown by the project manager throughout implementation. It proposed integrating that project into WIPO's regular activities, given the importance of the project's expected outputs.

85. There were no more observations from the floor. The Chair proposed to discuss part II of the Progress Reports together with document CDIP/22/9, since they were the completion report and the evaluation report of the same project. Hence, he invited the Secretariat to introduce part III of document CDIP/22/2, the progress report for the period from June 2017 to July 2018 on DA Recommendations, contained in Annex VII of the document.

86. The Secretariat (Mr. Irfan Baloch) introduced the Progress Report for the Period from July 2017 to June 2018 on the Development Agenda Recommendations, contained in Annex VII of document CDIP/22/2. In the past, that report used to cover 19 recommendations. Based on the observations of delegations in past sessions, it had been restructured and now covered all 45 Recommendations. The implementation strategy addressed 19 Recommendations, as agreed. The Secretariat had taken a comprehensive view as to the implementation of each Recommendation, which could be a project that implemented a certain recommendation, other activities undertaken by WIPO. It had also drawn links from the Program and Budget for 2018/19 to DA Recommendations to bring that information in one consolidated document. It provided an overview of all the activities implemented to address the DA Recommendations. The list of activities with other related information was contained in the Technical Assistance Databases (IP-TAD) available at <http://www.wipo.int/tad>.

87. The Delegation of Iran (Islamic Republic of) took note of the information in the progress report and appreciated the Secretariat for producing and presenting the document. That highly qualified report provided invaluable information on progress achieved in the implementation of the DA and other projects. The report provided a comprehensive overview of the implementation of 45 Recommendations and their links to related programs in the Program and Budget. The format and structure of the progress report were good, in particular the self-evaluation part.

88. There were no observations from the floor. The Chair postponed the discussion on part III of document CDIP/22/2.

## **AGENDA ITEM 6(I): WIPO TECHNICAL ASSISTANCE IN THE AREA OF COOPERATION FOR DEVELOPMENT**

### Document under consideration CDIP/22/3 – Feasibility of Establishing a Web-Forum on Technical Assistance

89. The Secretariat (Mr. Irfan Baloch) mentioned that document CDIP/22/3 responded to a request by the 21<sup>st</sup> session of the CDIP. He recalled that the 18<sup>th</sup> session of the CDIP had adopted a set of decisions initially proposed by the Delegation of Spain with regard to the implementation of recommendations contained in the Review of WIPO's Technical Assistance. At the 21<sup>st</sup> session of the CDIP, the Secretariat had made an oral presentation in which it requested guidance from Member States with regard to establishing a forum for discussions on the subject of technical assistance. The Secretariat had identified certain areas where it needed clarity. The outcome of that discussion based on that presentation was twofold: (1) the Secretariat was requested to come up with a feasibility document and (2) the holding of an interactive dialogue on technical assistance scheduled for the current session of the CDIP. In document CDIP/22/3, the Secretariat had taken a modular approach. The one-time cost of technical development was given a tentative price, which would be subject to possible adjustment, based on the implementation of the proposal. The recurring per annum cost was more important and would be determined by the decision of the CDIP on the languages needed, on the moderation required, and other areas where the Secretariat could not identify or

calculate a definitive budget. Secretariat invited the Committee to provide clarity and guidance on the implementation of the web forum as pointed out in the document.

90. The Chair opened the floor for observations or comments.

91. The Delegation of Canada, speaking on behalf of group B, stated that the document CDIP/22/3 provided useful indications on the parameters and resource implications of that initiative. Regarding the technical developments, it supported the Secretariat's suggestion to use one of the existing WIPO platforms to host such forums, including as a way to minimize costs by promoting commonality and interoperability among platforms. It noted the Secretariat's observation regarding "low usage in similar web forums." The CDIP had been discussing that issue specifically in relation to the web forum on technology transfer. The CDIP could collectively keep in mind any ideas seeking to enhance participation to the web forum on technology transfer and apply them to any new web forum on technical assistance. The promotion of those platforms by Member States themselves within their respective countries and regions and with interested stakeholders was key to increasing the use of those platforms. As regards the administration and moderation of the proposed forum, it welcomed indications from the Secretariat as to whether its proposals in relation to the web forum on technical assistance arose from its experience with existing WIPO web fora. Generally, the Group encouraged commonality and interoperability among those platforms so as to pull resources as much as possible and thus foster efficiency, particularly where platforms had similar subject matter.

92. The Delegation of Lithuania, speaking on behalf of the CEBS Group, noted that the document CDIP/22/3 gave a better understanding about potential costs and technical solutions of that initiative. It noted the Secretariat's observation on the "low usage in similar web-forums". However, it was open to considering the establishment of the web forum on technical assistance, in particular considering interests and arguments of the interested beneficiary countries. It looked forward with interest to the interactive dialogue on technical assistance with the expectation to learn more about perceptible bottlenecks and to discuss the best ways to address them, including potentially through the creation of the web forum.

93. The Delegation of Austria, speaking on behalf of the EU and its member states, thanked the Secretariat for document CDIP/22/3. Technical assistance was one of the most important services of WIPO and of special importance for developing countries. While it was very much in favor of improving and offering tailor-made technical assistance services, the experience with web fora showed that they often lacked an audience. It looked forward to learning more about possible solutions which, it hoped, would emerge during the interactive dialogue.

94. The Delegation of Nepal welcomed the Secretariat's proposal reflected in document CDIP/22/3. It was convinced that through that model, Member States could share their experience, tools and methodologies regarding technical assistance and capacity building. It urged the Secretariat for the regular follow-up and continuous review and reform of the web forum. In a time of industrial revolution and rapid technological change, not to mention robotics, artificial intelligence (AI), infotech and biotech, there was much to adapt. It requested the Secretariat to regularly update on the progress of that web forum in appropriate time intervals, as agreed by Member States so as to evaluate its effectiveness, efficiency and outcomes and to decide how to move ahead.

95. The Delegation of Iran (Islamic Republic of) was in favor of establishing a web forum and the proposed framework by the Secretariat. In particular, it was in favor of administration and moderation by the Secretariat. It shared the concerns that the forum might not be so active in initiatives or might not be welcomed by the beneficiaries. It could consider the possible provision of the establishment of a web forum on a pilot basis for two or three years after which time evaluation and assessment could be done by the Secretariat to consider the possible

permanent establishment of such a web forum. The Delegation asked for clarification from the Secretariat on whether such an approach could be more practical.

96. The Delegation of the Russian Federation welcomed the proposal in document CDIP/22/3. It found it necessary to integrate the proposed web forum to an existing platform and assess whether there was an audience, contents and structure for such a forum. There was need for a comprehensive analysis of the human and financial resources required for implementing that proposal.

97. The Delegation of China recognized the benefits of enhancing technical assistance exchange of ideas, practices and experiences to enable WIPO and its Member States to carry out relevant work efficiently. In view of the expenses and resources needed for establishing the web forum, it suggested that the Secretariat start the work in a cost-effective way, for instance, by using existing platforms or mechanisms to promote exchange on technical assistance.

98. The Secretariat (Mr. Irfan Baloch) referred to the observation by the Delegation of Canada on behalf of Group B and said that it represented the general view that the forum should rely on other existing WIPO fora. The Secretariat, at the time of writing the document, had undertaken a review in collaboration with the IT division, of other fora, their usage and functionalities, in particular to see if that responded to the need of a forum for technical assistance. Regrettably, there was no other forum run in WIPO that would respond to that specific need. Using a moderator represented a major recurring cost per annum. There had been only one forum, with devoted resources, and that forum had become negligibly used or inactive and the resource had been withdrawn. If the forum was to be established, there was a clear need for a moderator. The document provided the cost for three languages: English, French and Spanish, and then for each additional language. The proposal by the Delegation of Iran (Islamic Republic of) of having it established for two to three years as a pilot was very interesting, but it had to be weighed vis-à-vis the necessity to go through the technical establishment and protocol development, and the fact that a person who would have to act as moderator in a certain number of languages, would still need to be determined. All that setup would have to be made for a period of time determined by the CDIP as the testing period. There was a one-time cost (57,518 Swiss francs) and then the language costs of 120,736 Swiss francs per language, as well as the running and establishment costs. It said it had been very careful not to put large figures that might dissuade the Committee from establishing the forum, but the costs could end up being even higher. The Secretariat still needed clear guidance from the Member States on that proposal.

99. The Chair recalled that there were proposals to use the existing web fora, however that was not without difficulty. He referred to the proposal by the Delegation of Iran (Islamic Republic of) to establish a pilot web forum for a period of two or three years and then evaluate to gauge the sustainability and effectiveness of the web forum. Ideally, the web forum should be developed in the least costly, most efficient way, perhaps by using one language instead of three. He asked for the guidance of Member States.

100. The Delegation of the United States of America supported the statement made by the Delegation of Canada on behalf of Group B. It said that other WIPO platforms such as eTISC used Google Translate to translate into multiple languages, which did not have any associated cost. It enquired whether that would be possible to avoid the cost of over 120,000 Swiss francs.

101. The Delegation of Canada, speaking in its national capacity, supported the statement of Group B. It said that the forum should be administered and moderated by WIPO to ensure its neutrality. The role of a moderator was crucial so as to have a precise structure where everyone could express their view as part of a real dialogue. It also supported the idea whereby the moderator would put forward a different subject for discussion every week. However, Member States should identify the areas of interest. The audience was a concern. The forum

should be reassessed after a while to see whether it was having an impact and whether it was being used and was successful. That assessment would help determine the possibility to include the other WIPO languages. It wanted to know how it would work practically: whether divided up by languages or simultaneous discussions in three languages.

102. The Delegation of South Africa welcomed the details provided about the costs associated with such a forum as well as existing platforms that the proposed web forum could couple on to. It found it very difficult to get the cost-benefit analysis for that forum. The interactive dialogue on technical assistance might be a useful time to discuss the most appropriate way to engage in technical assistance, and that might actually be a more effective means of sharing practical experiences on technical assistance. It requested to defer the decision on that agenda item until informal conversations could be held among delegations on possible different solutions. At that stage, the web forum did not appear particularly attractive.

103. The Delegation of Brazil echoed the statement made by the Delegation of South Africa. It was not entirely convinced about the usefulness of that forum and remained to determine if the benefits outweighed the costs. It was nonetheless willing to continue discussing it.

104. The Secretariat (Mr. Irfan Baloch) referred to the observation by the Delegation of the United States of America about Google Translate and said the WIPO IT department was the one competent to address that from a technical standpoint. The question was whether Google Translate could be used for simultaneous translation or if it was a *post facto* translation, which was generally not the purpose of a forum where the discussion was interactive. Also, it was important to capture the nuances of a discussion and it was not convinced that the most sophisticated tool could capture human nuances on a subject. That required more reflection. The observation by the Delegation of South Africa, supported by the Delegation of Brazil, was interesting. It was necessary to assess the benefits against the costs, but it was difficult at that stage. It asked the Committee to guide the Secretariat.

105. The Chair understood that the Committee did not want to drop the idea of the web forum, but it did not know how to proceed. He suggested asking the Secretariat to explore ways to reduce costs and increase efficiency and sustainability. He asked for guidance from the Committee.

106. The Delegation of Spain recalled the decision taken at the 18<sup>th</sup> session of the CDIP. The decision requested the Secretariat to draw up and put into practice a forum. Referring to the delegations questioning the costs-benefits of that forum, the Delegation believed it was impossible to calculate the costs-benefits of something that did not yet exist because that depended on the use of the forum and its scope. It restated its proposal and recalled that the Committee had committed itself to that decision, which was the outcome of a very lengthy discussion. In order to find a compromise solution, it supported the proposal by the Delegation of Iran (Islamic Republic of) to set up a provisional or test forum to see whether it was feasible or not.

107. The Chair confirmed that the decision could indeed be adopted, as stated by the Delegation of Spain. He said that one could rely on the proposal by the Delegation of Iran (Islamic Republic of) for the Secretariat to evaluate the web forum after one year on costs, effectiveness and sustainability, after which a decision could be made to have it permanently or not. There were also alternatives to lower the costs: (1) have the forum in English only or (2) use Google Translate for two or three languages, as proposed by the Delegation of the United States of America.

108. The Delegation of Brazil said that it was incumbent upon the delegations making a proposal to show why that project was important. It asked the Delegation of Spain and other delegations interested in the web forum for concrete examples of the benefits of such a forum.

The Delegation was not, in principle, against it, but it needed to hear more about it before making such an important decision. The costs were clear, but the benefits were not.

109. The Delegation of Spain, addressing the enquiry made by the Delegation of Brazil, referred to its previous statement to the effect that the Committee could not continually discuss the same issue. The decision had already been adopted, and it had to put it into practice in the least costly and most useful manner for all.

110. The Delegation of South Africa said that the purpose of the web forum was to share ideas, practices and experiences. One could look at suitable alternatives, such as a webinar on the WIPO website. The web-streaming of the technical assistance dialogue might also meet the purpose of the web forum. There were other mechanisms aside from the web forum to deliver under the six-point plan agreed at the 18<sup>th</sup> session of the CDIP. That would enable a more informed decision around the costs to be incurred and the potential benefits that might arise.

111. The Secretariat (Mr. Irfan Baloch) said the major cost was associated with the moderation of the forum in the three languages. Yet, were the forum to be in English only, it would be missing out on a significant number of Member States who might not be able to participate because of language issues. One idea could be for the Secretariat to provide Member States with a space on Wiki, unmoderated, in more than one language. Member States themselves, at their own initiative, could hold discussions and exchange views and ideas. After one year, the Secretariat could come back with statistics for the Committee to decide if it would like to expand and make it more sophisticated or to drop it.

112. The Delegation of the United States of America welcomed the suggestion of using Wiki space and webinars on that space. It supported the proposal by the Delegation of South Africa to do webinars to achieve the same purpose as the proposal by the Delegation of Spain. There could be a live discussion after or during the seminar.

113. The Delegation of Spain referred to the intervention by the Delegation of Canada. It believed that moderation of the forum by WIPO was essential in order to ensure participation in the forum.

114. The Delegation of Switzerland supported the proposal made by the Delegations of South Africa and the United States of America.

115. The Chair said that there were many proposals on the table as well as many open questions. He proposed asking the Secretariat for a less costly, more effective way to explore how to establish professionally a web forum for a period of one year, after which it would provide data about the effectiveness, sustainability and cost. The Committee could then decide to drop the forum or to continue it permanently.

116. The Delegation of the United States of America supported the suggestion made by the Chair and proposed to request the Secretariat to put together a document exploring the possibility of using a Wiki space with an administrator in the role of a moderator. It also enquired on the feasibility of using existing eTISC chat rooms or webinar platforms for the same purpose. At its next session the CDIP could have more information and decide on the appropriate course of action.

117. The Delegation of Canada, speaking in its national capacity, stated that in light of the details put forward, and because of the important costs associated with such a forum which would be tentatively provisional, it supported the proposal made by the Delegation of South Africa as endorsed by the Delegations of the United States of America and Switzerland, as well as the proposal to have a written document at the 23<sup>rd</sup> session of the CDIP that would provide more details on the functioning of such a Wiki.

118. The Delegation of Lithuania supported the proposal by the Delegation of South Africa.

119. The Chair proposed the following decision “The Committee requested the Secretariat to develop a prototype on Wiki, linked to the DA main webpage, containing functionalities that respond to the needs of Member States on technical assistance. The prototype should provide an option for moderated discussions. The prototype should be presented to the next session of the Committee.”

120. The Delegation of Indonesia, speaking in its national capacity, supported the proposal suggested by the Chair. It noted that it also welcomed the document CDIP/22/3, prepared by the Secretariat.

121. The Delegation of South Africa stated that wiki spaces did not exist since September 30, 2018. It suggested adding “or similar type of space” in the Chair's proposed decision.

122. The Secretariat said that after the discussion it had a better understanding of the Member States' wishes. It said that the eTISCs platforms had so few views that WIPO was considering redoing it to make it more meaningful and interesting. It said that all platforms established by WIPO had such low levels of participation that they had to be dismantled at one point or another. Following the Chair's decision, it would come back with a document at the following session of the CDIP.

123. The Delegation of Brazil supported the Chair's proposal.

124. The Delegation of the Czech Republic appreciated the Chair's proposal and asked to make a link from the main webpage devoted to the technical assistance to that prototype web or Wiki tool.

125. The Committee requested the Secretariat to develop a prototype on Wiki or a similar platform, linked to the DA main webpage, containing functionalities that respond to the needs of Member States on technical assistance. The prototype should provide an option for moderated discussions. The prototype should be presented to the next session of the Committee. It was agreed, given that there were no other comments from the floor.

## **AGENDA ITEM 6: MONITOR, ASSESS, DISCUSS AND REPORT ON THE IMPLEMENTATION OF ALL DEVELOPMENT AGENDA RECOMMENDATIONS (resumed)**

### Document under consideration CDIP/22/2 – Progress Reports (continued)

126. The Chair resumed the discussion on the Progress Reports, contained in document CDIP/22/2. He invited the Secretariat to introduce the Completion Report contained in Annex VI of the document CDIP/22/2.

127. The Secretariat (Mr. Carsten Fink) presented the completion report of the project on Intellectual Property and Socio-Economic Development – Phase II contained in Annex VI of document CDIP/22/2. There were three outstanding studies: a regional study on Industrial Designs Use in the ASEAN region, a study on the Health Sector in Poland and, a study on IP and Innovation in the mining sector. The ASEAN design study and the Poland health study would be presented later during the session and the mining study would be presented at CDIP/23. All other studies in the portfolio under that project had been presented in previous CDIP sessions. Almost all of the non-personnel resources allocated under that project had been spent. In principle, everything was completed within the foreseen timelines, except that

the overall project implementation had taken another six months, as approved in 2017, due to the initial delays in hiring the project officer.

128. The Delegation of Canada, speaking on behalf of Group B, welcomed the thoroughness of the underlying evaluation and noted the Evaluator's comments regarding the project limitations, which helped place the evaluation in a broader perspective. It noted the government agencies, organizations and individuals involved, for their constructive role in the implementation of that wide ranging project. It noted with satisfaction the positive conclusions outlined in the evaluation. It took due note of the evaluator's detailed recommendations as well as the common challenges countries experienced during the project implementation as described by stakeholders. It supported the mainstreaming of the project outcomes and lessons learned from the Secretariat's activities and encouraged the Secretariat to give effect to the report's recommendations to ensure sustainability of the work carried out under the project.

129. The Delegation of Austria, speaking on behalf of the EU and its member states, noted the valuable findings and recommendations of the evaluation report. Gaining a better understanding of the socio-economic effects of IP protection in developing countries by generating credible IP data for statistical use and economic analysis of innovation and IP was essential for profound discussions in the CDIP and further development and implementation of IP strategies. It supported the mainstreaming of the project outcome and lessons learned and encouraged the Secretariat to give effect to the report's recommendations.

130. The Chair clarified that the document under discussion was the completion report of the project on Intellectual Property and Socio-Economic Development – Phase II contained in Annex VI of document CDIP/22/2. The evaluation report of that document would be presented later.

131. The Delegation of Indonesia noted the completion report based on the positive findings and conclusions of the evaluation which would be discussed shortly thereafter, and the quality and availability of the WIPO study inputs provided by the Economics and Statistics Division. Studies on IP and socio-economic development were very important to promote better informed decision-making on IP policies which in turn would benefit all nations. It supported the mainstreaming of the activities in the projects as regular activities of WIPO. The project sought to implement DA Recommendations 35 and 37, both part of the 19 DA Recommendations identified for immediate implementation without the adoption of a project-based approach. It looked forward to future studies on the relationship between IP and development for presentation and discussion in the CDIP.

132. There were no further observations from the floor. The Chair invited the Committee to take note of the information contained in document CDIP/22/2.

133. The Secretariat (Mr. Irfan Baloch) recalled that, in the Progress Reports on the project on the Use of Information in the Public Domain for Economic Development, there had been a request for a six-month extension. For internal purposes, it was important to record that decision. In the project on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Culture Heritage in Egypt and Other Developing Countries, the Committee had requested a four-month extension. Also, given the modification of the structure of the report on 45 Recommendations instead of only on 19, the Summary by the Chair had to mention that delegations supported the new structure and encouraged the Secretariat to continue reporting on the 45 Recommendations.

134. The Delegation of Lithuania, speaking on behalf of the CEBS Group, extended its thanks to the Secretariat for the preparation of the detailed progress reports contained in document CDIP/22/2 and thanked the project managers for their thorough presentations. It noted that a clear structure of the document allowed easy reading, comparison and understanding of various

aspects of different projects and the traffic-light system provided a useful tool for self-evaluation. It expressed satisfaction that the document explicitly demonstrated the effective implementation of the DA recommendations. It was satisfied with the reasoning provided as regards an extension of the availability of project resources in respect of the project on the Use of Information in the Public Domain for Economic Development and for the four months extension of the implementation timeline of the project on IP Tourism and Culture. Thus, it supported complying with those requests. IP played a key role in achieving the development goals, thus effective and balanced IP systems were instrumental to that end. It noted that through the projects' implementation, WIPO helped make a real impact on the ground.

135. The Delegation of Canada, speaking on behalf of Group B, thanked the Secretariat for the preparation of the detailed progress reports. It welcomed the comprehensiveness of the reports, which demonstrated WIPO's ongoing commitment to the effective implementation of the DA Recommendations in line with the overall objective of promoting the protection of IP throughout the world. It also appreciated the self-evaluation part using the traffic light system and welcomed the provision of the implementation timeline and resources by result table under Annex II as a good practice. It supported the reallocation of resources in respect of the Use of Information in the Public Domain for Economic Development project, as well as the four-month extension of the implementation timeline of the IP, Tourism and Culture project. The explanations supporting those requests, as provided in the project's progress reports, were clear and sensible. The organization should continue to foster the development of a balanced and effective international IP system that sought to promote certainty and innovation for the benefit of all. The CDIP's work and generally WIPO's development efforts played a key role in the achievement of those objectives.

136. The Delegation of China thanked the Secretariat for the detailed document, which could help Member States learn about the DA projects and the progress made in implementing the DA. It was pleased to see that in the past year progress had been made in five DA project implementations and the implementation of 45 DA Recommendations had moved forward. It expressed its appreciation for the efforts and contributions made by WIPO and by project-participating countries. It paid attention to the progress and outcomes of the project on Use of Information in the Public Domain for Economic Development, in particular to the practical guides on the identification and use of inventions in the public domain, as well as the portal on the legal status. Together with WIPO, it had identified the first round of seven TISCs during 2018. At the moment, it was selecting the second round of 13 TISCs. It hoped that the outcome of the project could be applied and promoted to all TISC networks, including those centers in China which could assist TISC users to obtain effective data service in the public domain.

137. The Committee took note of the information provided in part I, II and III of the document CDIP/22/2. The Committee agreed on the proposed extension in the implementation period for the following two projects: (i) Project on the Use of Information in the Public Domain for Economic Development, for a period of six months and, (ii) Project on IP, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and other Developing Countries, for a period of four months. The Committee welcomed the new structure in part III of the document, that provided a comprehensive view of the implementation of all 45 DA Recommendations and encouraged the Secretariat to continue reporting on that basis.

Document under consideration CDIP/22/9 Rev. – Evaluation Report of the Project on IP and Socio-Economic Development – Phase II

138. The Secretariat (Mr. Irfan Baloch) mentioned that there had been some modifications in Appendix IV of the Evaluation Report of the Project on IP and Socio-Economic Development – Phase II.

139. Mr. Pedro Roffe, Independent Evaluator, introduced the evaluation report. The project on IP and Socio-Economic Development – Phase II had been adopted at the fourteenth session of the CDIP in 2014, following the successful completion of Phase I of the same project. The second phase had been implemented from January 2015 to June 2018. The deliverables included studies, technical meetings, workshops, and seminars. The project was conducted by research teams under the guidance of the WIPO Economics and Statistics Division. The broad rationale of the whole project was to narrow the knowledge gap faced by policymakers in the design and implementation of the development-promoted IP regime and contribute to better-informed decision-making on policies at the national and international levels. While pursuing the same broad purposes of Phase I, the project planned to maintain and expand the research work initiated in 2010. Two main pillars guided the implementation of Phase II: (1) promote the sustainability of the research initiated in Phase I by supporting work that made use of the micro-databases created during that phase, and (2) extend the study work to new countries and regions, including at least one LDC, as well as to new topics. Activities included extensive briefings, meetings, workshops and seminars to familiarize policymakers and partners in defining the scope of the work and to discuss preliminary and key results of the project. They were performed in consultations with the IP offices and relevant organizations in the respective sector focus of the studies. In undertaking those activities, coordination within the Secretariat had been planned, particularly with the Regional Bureaus and the Division for Transition and Developed Countries. The evaluation work was conducted from July to September 2018, in close coordination with the Development Agenda Coordination Division. The specific evaluation objectives were twofold: (1) learning from experiences during the projects' implementation what worked well and what did not, for the benefit of possible further activities in the field of IP related economic studies and research; (2) an evidence based assessment of the project to support the CDIP decision making process and contribute to the effective implementation of the DA Recommendations. The evaluation addressed three questions: (1) project design and management; (2) effectiveness; and (3) sustainability. The evaluation applied a variety of tools, including key stakeholder interviews, self-assessment online services and document analysis. The data-gathering method used reliable and relevant sources of information resulting to primary and secondary data. Fact findings focused on main actors involved at the Secretariat level and on interviews by phone or physical presence with a diversity of stakeholders, public officials, consultants and beneficiaries. A survey was also sent to key stakeholders. The process of taking that evaluation forward faced some limitations, spelled out in the report. There were ten key findings of that evaluation: (1) the topics of studies were defined in close consultations with Member States and key stakeholders. (2) The project carried out seven studies, four were country-specific (Colombia, Chile, Poland and Uganda) two had a regional focus (Central American countries and ASEAN countries) and one was sector-specific (the mining sector). (3) The project team capitalized on local expertise in the selection of international and local experts and, in general, had great involvement of local partners. That strategy was extremely positive and useful in building the ground for capacity building and future work in that area. (4) Workshop evaluations were regularly organized together with extensive consultation with stakeholders to keep track of progress and ensure that the studies were of practical use to beneficiary countries. The CDIP was regularly kept abreast of developments in the Progress Reports. (5) Overall, Phase II largely achieved the delivery strategy by promoting sustainability of the work initiated in Phase I, extending the work to new countries and regions and new topics and including one LDC in the activities. The implementation of the project made important efforts to involve different actors and to disseminate that achievement to a larger public. (6) External stakeholders surveyed and interviewed representing academia, national IP offices and national agencies positively rated the workshops organized during the project implementation. They were unanimous in affirming that the project highly met their expectations and valued the opportunity of sharing their experience and becoming familiar with new tools for analyzing the effects of IP on the national economy. (7) It was early to assess the full impact of the work carried out in Phase II. There were, however, significant signals that the work was bringing about a much better understanding of the role of IP and the recognition that the work done in cleaning the existing

data and building new datasets that linked traditional IP statistics with general economic information was an important step forward. (8) The duration of the project was extended from the original 36 months to a total of 42 months. The project experienced in limited cases certain delays for technical reasons, including late recruitment of a project officer and changes in national consultants. (9) Both internal and external stakeholders pointed out certain common challenges that countries had experienced during the project implementation, such as a general lack of awareness at local level on the importance of IP in priority economic sectors, data fragmentation, and difficulties in accessing organized and clean statistical data, infrastructure gaps and lack of human resources. (10) The project proposal had suggested a final research symposium with people concerned to discuss the main lessons learned and the broad applicability and their implications for policymaking at the national and international level. That could not take place in the time allocated to the implementation. Such a symposium was an important activity that might take place at an appropriate time. In conclusion, (1) the project was well-planned and properly managed; (2) the delivery strategy for Phase II and objectives were met to the satisfaction of stakeholders; (3) the support received was timely and of high quality and the results replicable; and (4) the project was highly relevant to beneficiary countries resulting in a high degree of ownership. Three recommendations had been made: (1) to the CDIP and Secretariat on project planning and management; (2) to Member States, the CDIP and the Secretariat on sustaining efforts to encourage and consolidate the positive results achieved to better assess the economic, social and cultural impact on the use of the IP system; and (3) to Member States, the CDIP and the Secretariat to consider strengthening and supporting capacity building in beneficiary countries, particularly to ensure the sustainability of the work carried out in Phases I and II of the project.

140. The Chair opened the floor for comments, observations or questions.

141. The Delegation of Iran (Islamic Republic of) found the evaluation report comprehensive. The project could be a useful tool for beneficiary countries to gain a better understanding of the socio-economic effects of IP protection and improving the capacity in countries that had limited capacity in that area, to begin developing analytical capacity to that effect. The project had been launched as an umbrella project for national and regional studies seeking to narrow gaps faced by policymakers in designing, implementing, developing and promoting the IP regime and contributing to better-informed decision making in IP policies at national and international levels. The evaluation report provided a good analysis of the project planning and management, as well as of achievements of the project's objectives. The findings and conclusions were positive and helpful for a better implementation of the future phase of the project. The three proposed recommendations were a positive contribution to improve the quality of the project in the future.

142. The Delegation of Indonesia, speaking in its national capacity, welcomed the implementation of the project which sought to narrow the knowledge gap faced by policymakers in designing and implementing a development-promoting IP regime and to contribute to better informed decision-making on IP policies at the national and international levels. It had effectively assisted beneficiary countries in gaining better understanding on the socio-economic effects of IP protection in improving the capacity in countries that had limited capacity in that area to develop analytical capacity to that effect. It had also contributed to the development of analytical capacity where little economic studies on IP had been conducted. As one of the countries where research studies had been undertaken, under the Study "Understanding the Use of Industrial Design in Southeast Asian Countries, the Case of Indonesia, the Philippines and Thailand", Indonesia had conducted with WIPO a series of briefings, meetings, workshops and seminars to familiarize policymakers and partners in defining the scope of the work and discuss preliminary and key results of the project. It supported the mainstreaming of the activities in the projects as regular activities of WIPO. The project sought to implement, among others, DA Recommendations 35 and 37, which fall under the 19 DA Recommendations identified for immediate implementation which did not require the adoption of a project based approach. The Delegation looked forward to future studies on the relationship between IP and

development by the Economics and Statistics Division for presentation and discussion in the CDIP. It hoped that it would encourage the CDIP to benefit from work undertaken on the economic, social and cultural impacts of the use of IP systems and resort to the results and lessons learned.

143. The Delegation of Lithuania, speaking on behalf of the CEBS Group, found the evaluation report and its presentation, comprehensive. It noted with satisfaction that the parties of the beneficiary countries involved in the project demonstrated a high degree of ownership that was central to the project's success. It was also pleased with the conclusion that the study work was of high quality and that the results were replicable. It thanked Mr. Pedro Roffe for his thorough comments as well as for his conclusions and recommendations that would be carefully taken on board and mainstreamed into the future work as lessons learned.

144. The Delegation of the Russian Federation expressed satisfaction with the conclusions reached by the Independent Evaluator on the evaluation of that project. Those conclusions showed that in spite of the difficulties that arose during the project implementation, the project was implemented on a high level and was positive for the beneficiary countries. It highlighted the recommendations referring to the project sustainability, to ensure that the positive results achieved during the project implementation, were not lost.

145. The Delegation of Gabon took note of the conclusions of the report. Good collaboration with the beneficiary countries was an important factor for success and led to better ownership of the results in the countries. It welcomed the recommendations of the evaluation report, which would lead to better results in the future. It expressed its encouragement for the continuation of the project.

146. The Delegation of El Salvador, speaking in its national capacity, welcomed the conclusions of the evaluation report. The second phase of the project on IP and Socio-Economic Development included studies on the use of IP in Chile (CDIP/21/INF/4) and Colombia (CDIP/20/INF/2), as well as a Study on the Use of the Intellectual Property System in Central America and the Dominican Republic (CDIP/20/INF/3), on which the Delegation would make comments during the interactive dialogue on the results, impact and follow-up.

147. The Delegation of Nepal welcomed the evaluation report. The findings of the evaluation report were very positive and contributed to a better outcome of decision-making on IP at the national and international levels, helping policymakers in designing and implementing a development-promoting IP regime. The Delegation welcomed the conclusions of the evaluation report and called upon the implementation of the recommendations mentioned in the evaluation. There was a need for a follow-up of the impact of benefits of those seven studies to see how beneficiary countries internalized and mainstreamed their policies and programs. Learning from experience for possible further activities and evidence-based assessment contributed to implementing the DA.

148. The Delegation of the United States of America welcomed the evaluation report. It had been supportive of the project since first proposed in 2010. It had been consistent in reviewing and providing comments and input into the various studies that had resulted from the project. The Delegation was pleased to hear that the project was well-planned and properly managed, the delivery strategy and objectives were met to the satisfaction of stakeholders, the work performed under the project was timely, replicable and of high quality, and the project was highly relevant to beneficiary countries, resulting in a high degree of ownership. The evaluation report had produced a number of useful recommendations, including mainstreaming the project into regular WIPO activities. That work would contribute to better understanding of the socio-economic effects of IP protection and its use by stakeholders and would inform policy decisions for Member States.

149. The Delegation of the Republic of Korea welcomed the evaluation report. It recognized the positive progress made over the years by the CDIP towards implementing the DA Recommendations, as shown by the report. Since the adoption of the DA in 2007, the Republic of Korea, especially the Ministry of Culture, Sports and Tourism, had been dedicated to the implementation of the DA Recommendations through its Funds-in-Trust with the Copyright and Creative Industries Sector and the Building Respect for IP Division. The Ministry and WIPO had jointly hosted a study visit to the Republic of Korea's collective management organization in March 2018, a project related to Recommendation 11. Also, with reference to Recommendation 45, it was working on a project on the development and adoption of a consumer survey on copyright awareness. It was engaged in many other projects to support the implementation of the DA Recommendations and would continue its contribution to the development of the IP and copyright system in the international community through a wide range of projects on IP and the copyright framework awareness raising and dispute resolution matters.

150. The Committee took note of the evaluation report, given that there were no more comments from the floor. The Committee recommended that the activities undertaken in the project should be mainstreamed.

#### **AGENDA ITEM 6(I): WIPO TECHNICAL ASSISTANCE IN THE AREA OF COOPERATION FOR DEVELOPMENT (resumed)**

##### Document under consideration CDIP/22/11 – Internal Coordination, UN Collaboration and Cooperation with National and Regional IP Offices

151. The Secretariat (Ms. Francesca Toso) stated that document CDIP/22/11 had been prepared in response to a proposal approved at the 18<sup>th</sup> session of the CDIP. That proposal requested the Secretariat to “continue improving internal coordination within the organization, collaboration with UN agencies and programs and other relevant international organizations, as well as cooperation with national and regional IP offices on issues related to technical assistance, capacity building and development-oriented cooperation.” The Secretariat was also requested to identify new proposals to that effect and report to the CDIP. With regard to each of the three areas, the document highlighted the approaches and strategies for continuous improvement and identified some new proposals. As for internal coordination, the document reported on a number of mechanisms introduced over the past biennia in order to help improve internal coordination among all programs and sectors. Such coordination aimed to achieve a coherent delivery of effective, demand-driven technical assistance and development cooperation. One of those mechanisms was illustrated in the Program and Budget 2018/2019. In the Program and Budget 2018-2019 a cross-program cooperation was clearly indicated as well as the DA Recommendations that each program addressed. Such approach showed shared responsibility and therefore increased coordination among WIPO programs. It was further reflected at the work-planning level, where individual programs were required to mention which other programs were collaborating in the implementation of specific activities. Another aspect of internal coordination could be found at the level of External Offices, where an External Offices Coordination Unit had been established in the Office of the Director General. A different angle to look at internal coordination could be found in the improved and streamlined reporting systems and tools. The WIPO Performance Report was a new coherent document that consolidated the information relating to financial management and program performance. That information was previously contained in two separate reports, and with the consolidation of both reports into the WIPO Performance Report (WPR), WIPO was addressing a more streamlined and improved reporting. Coherence in the delivery of technical assistance and development was ensured by the Development Sector, in particular by the Regional Bureaus, as the custodians of technical assistance plans in Member States. The critical role of the Regional Bureaus was also mentioned: Bureaus had the primary responsibility to coordinate, streamline and prioritize the activities in line with each country's development objectives. Finally, one other

element to improve internal coordination was represented by the integration of the WIPO Technical Assistance Database (IP-TAD) with the Enterprise Performance Management system. That integration allowed much more transparent and reliable availability of data on technical assistance and development cooperation across WIPO. Regarding collaboration with UN agencies and programs and other intergovernmental organizations, WIPO continued its participation in multilateral processes for the implementation of the SDGs, in particular those goals relating to science, technology and innovation. One of the elements was the creation of a Subgroup on Gender and Science, Technology and Innovation for the SDGs. WIPO participated in the creation of that subgroup together with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and UN Women. On the multilateral arena, WIPO continued to actively collaborate with relevant UN agencies, such as its traditional partners, the World Trade Organization (WTO) and World Health Organization (WHO) for trilateral cooperation, and other UN agencies. The document highlighted the regional focus and underlined the work of WIPO in the context of regional groupings and commissions. The document addressed the area of cooperation with national and regional IP offices and other partners by using as a frame of reference document CDIP/21/4 entitled “Compilation of WIPO's Existing Practices, Methodologies and Tools for Providing Technical Assistance.” With regard to each of the six categories of technical assistance highlighted and already presented in that document, it presented the continuous improvements, strategies and approaches for improvement as well as new proposals.

152. The Chair opened the floor for observations or comments.

153. The Delegation of Iran (Islamic Republic of) took note of document CDIP/22/11 and supported continuous improvement of internal cooperation among different WIPO divisions for delivering timely and relevant technical assistance. On the UN-level collaboration, it highlighted the significance of the continuous engagement of WIPO with other UN agencies and programs to better address development goals. Technology innovation, creativity and cultural development remained central components of the multilateral programs in which WIPO participated. In particular, trilateral cooperation with the WTO and WHO on issues relating to public health, IP and trade could not be over-emphasized. It was delighted that that partnership was bound to be expanded and strengthened with the joint objective of pushing innovation to improve health outcomes worldwide. Furthermore, WIPO participation and contribution to the UN Interagency Task Team on Science, Technology and Innovation for the SDGs was of great importance, as the mandate of the Task Team was in direct relation with WIPO's mandate. On cooperation with national and regional IP offices on issues related to technical assistance, it welcomed undertaking an innovative approach to capacity building that involved the concept of creating and enabling an IP environment under which the approach was not thematic, but rather covered different IP topics.

154. The Delegation of Lithuania, speaking on behalf of the CEBS Group, noted a steady improvement of WIPO internal coordination, as reflected in the WIPO Performance Report 2016/2017. It welcomed the inclusion of shared indicators in the Program and Budget 2018/2019 that showed joint responsibility of multiple relevant programs in the attainment of the same Expected Result. It commended the Secretariat for its active engagement in cooperation with national and regional IP offices with regard to the implementation of different technical assistance activities, namely in the elaboration of national IP strategies and development plans, the creation of technical and administrative infrastructure, capacity building, legislative assistance, implementing DA-related projects and establishing public-private partnerships. It noted with satisfaction the intensive collaboration of WIPO with a number of other UN Agencies and NGOs aiming to maximize the impact of technical assistance and to avoid duplication.

155. The Delegation of Canada, speaking on behalf of Group B, welcomed the continued efforts by the Secretariat to further enhance coordination efforts across a number of work areas, as per the decision at the 18<sup>th</sup> session of the CDIP. It encouraged the Secretariat to implement,

as appropriate, those and other innovative practices, with a view to promoting the ongoing improvement and efficiency of WIPO activities and program delivery as well as to minimize duplication. It highlighted the importance of strengthening cooperation with regional organizations and economic communities which represented important actors to foster regional, economic, social and technological development. It said it would be helpful to know the extent to which WIPO was engaging with the technology facilitation mechanism and welcomed any additional information the Secretariat could offer thereon.

156. The Delegation of Austria, speaking on behalf of the EU and its member states, stated that document CDIP/22/11 provided an excellent overview of the plethora of activities and actions. It was of great importance that all activities and actions were demand-driven and cost-effective. It appreciated the efforts regarding internal coordination within WIPO and welcomed the establishment of the External Offices Coordination Unit. It wished to hear more about methods to evaluate the longer-term impact of WIPO services as well as about WIPO's engagement with the technology facilitation mechanism. It thanked WIPO and encouraged it to continue the efforts in the field of collaboration and cooperation.

157. The Delegation of Nepal stated that the world was interconnected and interdependent. The multilateral work was complex, interlinked and intertwined. Coordination within WIPO and collaboration with other stakeholders, private sectors, civil society, non-state actors, and community-based organizations showed that there was a need for multilevel coordination. Mutual cooperation with UN agencies and programs and other international organizations as well as cooperation with national and regional IP offices on issues related to technical assistance, capacity building and development-oriented cooperation should always remain at the center of WIPO's work. It welcomed the measures adopted by the Secretariat for internal coordination at various levels. The report showed tangible internal coordination. It asked to continue collaboration with UN agencies, programs and other intergovernmental organizations to achieve the SDGs, the Paris Convention and the Sendai Framework for Disaster Risk Reduction 2015-2030 and other global rules. It encouraged the Secretariat to take the lead role, such as in the Interagency Task Team on Science, Technology and Innovation for the SDGs, and the need to collaborate with the UN Commission on Science and Technology for the development of such activities. It was in favor of the proposal in paragraph 36 of document CDIP/22/11.

158. The Delegation of China welcomed WIPO's new steps in delivering technical assistance, including WIPO's database and innovative matters of capacity building. It commended WIPO's continuous improvement and expansion of technical assistance activities. It looked forward to all pilot projects achieving their expected results, which could then be advocated and promoted effectively. In terms of WIPO's cooperation with national IP offices, it said that China's national IP administration and WIPO maintained a long-term positive relationship of cooperation. The establishment of a WIPO Office in China (WOC) had further deepened and expanded bilateral cooperation. In terms of technical assistance, the WIPO-China Funds-in-Trust had been created in 2016 and an agreement on enhancing IP cooperation had been signed in 2017 by WIPO and China, aiming at joining forces in providing technical assistance to developing countries. It looked forward to further exchanging ideas with all delegations during the interactive dialogue on technical assistance.

159. The Committee took note of the information provided in document CDIP/22/11.

Document under consideration CDIP/22/10 – Assessment of WIPO's Existing Tools and Methodologies for Measuring the Impact, Effectiveness and Efficiency of its Technical Assistance Activities

160. The Secretariat (Ms. Maya Bachner) introduced the document on Assessment of WIPO's Existing Tools and Methodologies for Measuring the Impact, Effectiveness and Efficiency of its

Technical Assistance Activities. The document responded to the request of the 18<sup>th</sup> session of the CDIP to undertake such an assessment. The document explained that, at the organizational level, the WIPO Results-Based Management framework set out the criteria for measuring the organizational performance, including for the development of technical assistance activities. That assessment was reported back to Member States in the WIPO performance report. In addition to the assessment carried out in the WIPO Performance Report, the Secretariat, in particular the Internal Oversight Division (IOD), undertook in-depth evaluations on an ongoing basis in the categories of program evaluations, strategic evaluations, thematic evaluations, geographical evaluations (either country or regional), and project and process evaluations. The document provided specific examples from the areas of national IP strategies and development plans, technology innovation support centers (TISCs) and capacity building of how measurement tools and methodologies had evolved over the past five biennia. One could see progressive improvement of the measurement in the Program and Budget and the attempt to measure long-term impacts.

161. The Chair opened the floor for observations or comments.

162. The Delegation of Nepal welcomed document CDIP/22/10 and appreciated the Secretariat for adopting its working mechanism in line with the latest technologies and newly developed management techniques and frameworks. The TISC helped with the effectiveness and efficiency of technical assistance activities. The Delegation encouraged the Organization to continue further concerted effort to assess its existing tools and methodologies for measuring the impact, effectiveness and efficiency of the technical assistance activities with a view to implementing the value-added enhancements. It supported the proposal in paragraph 19.

163. The Delegation of Morocco, speaking on behalf of the African Group, reiterated the importance of technical assistance, a fundamental pillar of the WIPO mandate and on which depended the optimal labor of the plan of the DA and setting up an effective and balanced global IP system. Henceforth, good performing tools as well as appropriate assessment were essential to evaluate the impact, effectiveness and efficiency of the objectives set in favor of the beneficiaries, the drawing up of IP strategies and the IP development plans, the adjustment of technical infrastructure, administrative and legislative assistance, projects, and the public-private partnerships. These were very important and highly appreciated development initiatives. Beyond the available downstream assessment tools, WIPO should set up mechanisms upstream. Such procedures would enable developing countries and LDCs to learn about offers of technical assistance provided by WIPO and to receive guidance on the means and ways of submitting applications. It would be very useful to have those workshops.

164. The Delegation of Lithuania, speaking on behalf of the CEBS Group, welcomed that WIPO's Result Based Management framework had undergone continuous improvement since the 2012/13 biennium, as evidenced by the IOD Validation Report of the WIPO Performance Report 2016/17. Furthermore, it greatly appreciated the evaluation of WIPO technical assistance activities carried out by the IOD and was convinced that its recommendations gave good guidance to further improve their efficiency.

165. The Delegation of Canada, speaking on behalf of Group B, continued to call for alignment of all WIPO activities with the WIPO Results-Based Management framework and noted that it was of importance to the WIPO Secretariat with regard to WIPO's technical assistance activities. Further, it acknowledged the key role of the IOD in reviewing and assessing WIPO's technical assistance activities. The IOD's findings and recommendations from its evaluations were of great interest to the Group and it encouraged the Secretariat's consideration of those findings and recommendations and subsequent project planning. It welcomed the post-completion evaluation of projects by independent external experts as a means to further promote good governance, which it welcomed and encouraged in all WIPO matters.

166. The Delegation of Austria, speaking on behalf of the EU and its member states, stated that document CDIP/22/10 provided a good overview of the development of activities in certain categories. The continuous further development and improvement of the service indicator framework for measuring the impact of WIPO's technical assistance activities had strengthened WIPO's ability to measure the evolution of results and longer-term impact across biennia. As regards capacity building, it welcomed the shift from Level I, satisfaction of participants, to Level II, increase in knowledge as well as strengthening the indicators to measure Level III, extent of applied learning. It encouraged and supported all efforts to assess the existing tools and methodologies for measuring the impact of the technical assistance activities with a view to implementing value-added enhancements and appreciated being informed on a regular basis on that important topic.

167. The Committee took note of the information contained in document CDIP/22/10.

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

### Document under consideration CDIP/22/8 – Revised Project Proposal on Enhancing the Use of IP in the Software Sector in African Countries Proposed by the Republic of Kenya

168. The Delegation of the Republic of Kenya stated that at the 21<sup>st</sup> session of the CDIP it had presented a draft of the project proposal, whose specific objectives had since then been refined with the support of the Secretariat and on the basis of Member States' comments. Enhancing the use of IP in the ICT sector, a growth area for Africa, was one of the project's objectives. The project included: creating ICT hubs, creating material that could be used to develop and assist the uptake of IP of all forms in that sector, enabling the sector to get mainstreamed by allowing banks to loan money and invest capital into the sector, and creating tools that could be used generally, in beneficiary countries and non-beneficiary countries, in an online environment. The new project proposal had additional details including a project timeline and methodology. The project was ready and would be useful with regard to the objectives of WIPO. It urged Member States to approve the project for implementation starting in 2019.

169. The Chair opened the floor for any observation or comments.

170. The Delegation of Morocco, speaking on behalf of the African Group, found that the project proposal was very promising and pointed out that it had been welcomed by the Committee at its previous session. The aim to increase the use of IP in the software sector met DA Recommendations 11, 24 and 28. Given its vast scope, the project could be included in regular WIPO's activities in the future. It supported the project.

171. The Delegation of Tunisia supported that project and stressed the importance of ICTs for the economic development of African countries and developing countries in general. Globalizing innovation opened perspectives for software designers and producers in developing countries. It thanked the Secretariat for its support in developing that project.

172. The Delegation of Canada, speaking on behalf of Group B, stated that, as outlined at the 21<sup>st</sup> session of the CDIP, it generally supported the proposal's broad objectives, including raising awareness of the benefits derived from IP protection, generating value from IP and supporting developers to enforce their IP rights. The Delegation of the Republic of Kenya had aptly identified an important area for potential growth in African countries and that was a commendable initiative. The revised proposal had added most suggestions made at the previous session, including details related to the project's objectives. It appreciated the inclusion of budgetary information, the definition of clear outputs and indicators of success, as well as a step-by-step delivery strategy. It asked for further information regarding the

elaboration of an online platform as referred to on page 8 of the Annex in the English version, including whether that platform was intended to make available the materials developed under the project, whether it would be hosted by WIPO or within existing structures in the beneficiary countries. It recalled the CDIP's discussions on the establishment of web fora and platforms and wished to ensure that the Secretariat was in a position to give effect to that output without undue strain. It supported the project and looked forward to its implementation.

173. The Delegation of Lithuania, speaking on behalf of the CEBS Group supported the demand-driven proposal and believed in its potential to deliver tangible benefits for the African countries covered by the proposal. The revised proposal contained all necessary elements, including costing. It considered the initiative positively.

174. The Delegation of Gabon pointed out that the project answered real issues that many countries faced. The software sector was a promising one and implementing that project, which aimed to provide and share information and knowledge on available IP instruments, would make a significant contribution to the development of beneficiary countries while also strengthening the use of IP. It hoped that the project's activities would have a positive impact and boost entrepreneurship in the software sector. It awaited with great expectations the implementation of that project.

175. The Delegation of Austria, speaking on behalf of the EU and its member states, found that the proposal was clearly demand-driven and contained special criteria for the three countries to be selected, an exit scenario in the event that the project midterm review showed that milestones could not be reached in one or several of the beneficiary countries, as well as solid evaluation criteria. Therefore, it supported the implementation of the project.

176. The Delegation of Indonesia stated that IT, software and computer services continued to be one of the most dominant sectors of the larger active economies' industry sector. Their procurement and development decisions, standards, development policies, telecommunications and ICT policies were all affected by how IP rights in software were provided, licensed and enforced. As the proposal highlighted, the IP system offered a variety of tools that could be instrumental for commercializing mobile applications and stakeholders often lacked information and knowledge of the available IP tools and the way to take advantage of them. It expressed hope that the implementation of the project would have a positive impact, particularly for the effective use of the IP system in support of comparable applications in the software industry that remained challenging in many emerging countries. It supported the proposal's general objectives and hoped for constructive and positive deliberations for the adoption of the proposal by the CDIP.

177. The Delegation of El Salvador, speaking on behalf of GRULAC, supported the project proposal. The project would help the development of countries in Africa through support to the software sector and would improve the use of IP.

178. The Delegation of China stated that the work and effort of the Delegation of Kenya would enhance the use of IP in the software sector. It supported the project in principle and, under the Chair's leadership it would participate in the discussions to implement the proposal.

179. The Delegation of the Republic of Kenya thanked Member States for their generally positive reception of the project and for their suggestions. In response to Group B, it stated that the intention was to look at the sustainability of the project. Therefore, it proposed that the material developed as part of that project to support the use of IP in the ICT sector would be shared through the common WIPO online platforms, to make it available for Member States and individuals that might wish to use them. The information would be held within WIPO and made available to Member States, individuals and corporations that wished to use them after the project. It was not Kenyan material, but material that would stay with WIPO. Whatever the

results obtained from that project, they would be useful for and accessible to Member States in the WIPO online platform for future use by Member States.

180. The Delegation of Canada, speaking on behalf of Group B, thanked the Delegation of the Republic of Kenya for the clarifications, and stated that it had to consult with Group B members that the comments indeed answered the questions.

181. The Chair recalled that the Delegation of the Republic of Kenya had already prepared a revised project proposal and that the proposal had been considered positively at the 21<sup>st</sup> session, as reflected in the Summary by the Chair. He proposed that the Committee adopted the project proposal, in principle, although Member States would be able to seek clarification from the Secretariat or the Delegation of Kenya after the approval. The project proposal was adopted and the Chair opened the floor for clarification requests.

182. The Delegation of Pakistan stated that it was a very good project in terms of its utility and methodology. Progress in technology and mobile applications had symbiotic relationships with each other and the IP system offered a set of very effective tools for commercializing mobile applications. However, the software sector and different stakeholders sometimes remained unable to harness the full potential of those tools because of lack of knowledge. The proposal aimed to enhance the use of IP in the software sector. Considering the steady growth of the software industry in Pakistan, it requested the Secretariat to keep the project open for other regions as well, in addition to Africa. Should it be the case, the Delegation supported the proposal and asked to be considered as a beneficiary country.

183. The Delegation of Brazil supported the revised proposal by the Delegation of the Republic of Kenya.

184. The Delegation of South Africa expressed its support to the revised project.

185. The Delegation of Senegal supported the project.

186. The Delegation of Uganda looked forward to the implementation of the project.

187. The Delegation of Côte d'Ivoire supported the project.

188. The Delegation of Burkina Faso supported the project, given the importance of the software sector.

189. The Delegation of Nepal supported the proposal by the Delegation of the Republic of Kenya.

190. The Chair concluded the discussions on document CDIP/22/8.

Document under consideration CDIP/22/14 – Revised Project Proposal on Intellectual Property and Gastronomic Tourism in Peru and other Developing Countries: Promoting the Development of Gastronomic Tourism through IP

191. The Delegation of Peru introduced its Revised Project Proposal on Intellectual Property and Gastronomic Tourism in Peru and other Developing Countries: Promoting the Development of Gastronomic Tourism through Intellectual Property (document CDIP/22/14). It thanked the Secretariat for the support provided in conveying the comments and observations made at the 21<sup>st</sup> session of the CDIP and thanked Member States for their positive comments and observations, which it had taken into account in the revised project proposal. Tourism was a huge money earner for countries worldwide. A study undertaken in Peru in 2016 showed that the main focus of attraction for visitors to that country were destinations such as the Machu

Picchu, but also to a great extent the gastronomy (about 59 per cent of the tourism was gastronomic tourism). That meant that Peru had been recognized for its gastronomic quality and was named for seven consecutive years for the World Travel Awards as a world-leading culinary destination. The main part of Peruvian gastronomy was historical because of the production and cooking methods, but it had been greatly enriched over the years by cultures such as that of China, Japan, Spain, Italy, and Arabic countries, through migration. Peru had a huge quality of products and a variety of food styles. High quality agricultural products explained why Peru's gastronomy had maintained such a high position worldwide, not only for the dishes or recipes, but also for certain artifacts used in the cooking process and the processes of farming and livestock handling specific to Peru. Throughout the value chains, there were national, local, and traditional styles. There were very high-end restaurants recognized worldwide and there was a high demand for gastronomic tourism routes, so tourists would know where to find different types of Peruvian food. It was a great opportunity for creating economic and social development, based on tourist areas, an investment to form those gastronomic routes and respond to the demand of tourists by using IP. A lot of television programs and audiovisual content covered the Peruvian gastronomy along with many books and cooking schools springing up throughout the country. There were over 220,000 restaurants offering Peruvian gastronomy in Peru. The objectives of the project could be found on the CDIP website. The main and overall objective was to promote and develop the use of IP related to culinary traditions for use in the tourism sector, enabling the documentation, development and sustainable use of a culinary tradition in Peru and each country that would adhere to the project: building the capacity of economic operations involved in gastronomic tourism and national authorities and raising awareness on the advantages of using IP in gastronomic tourism. There were clear selection criteria for three additional pilot countries: the existence of national or regional development policies where gastronomic tourism was considered a significant tool for territorial development; the existence of a specific gastronomy that attracted tourism, a demonstrated interest at the business and political levels in increasing competitiveness and innovation within the gastronomic tourist sector and commitment of the country to dedicate the necessary economic resources for the effective implementation of the project and its sustainability. As to the strategy, there was a group of activities for capacity building and awareness raising, taking into consideration the potential challenges and risks and their mitigation strategies. Another important, yet difficult, part of the project was to find experts with the necessary experience in the interrelation of IP, tourism and gastronomy. In Peru, the Commission for Promotion of Exports was exclusive to gastronomic tourism; it was a priority sector for Peru and was part of the national strategy. There was a public policy to promote tourism, specifically gastronomic tourism, using the various elements of IP for development and for strengthening that strategy. The Delegation showed a video to illustrate its project proposal. It asked the Secretariat for help similar to the Project on Intellectual Property and Tourism and Culture in Egypt and other Developing Countries, should the project be approved and a budget allocated.

192. The Chair recalled that the 21<sup>st</sup> session of the CDIP had taken note of the proposal by the Delegation of Peru and had requested it to revise it, which it had done. He opened the floor for any observation or comments.

193. The Delegation of El Salvador, speaking on behalf of GRULAC, supported the proposal presented by the Delegation of Peru.

194. The Delegation of Canada, speaking on behalf of Group B, welcomed the addition of links to other DA projects as well as a delivery strategy of the revised proposal. It noted that the budget remained to be defined and it looked forward to receiving that information. It looked forward to continuing to engage with the Delegation of Peru, other Member States and the Secretariat on that revised project proposal.

195. The Delegation of Lithuania, speaking on behalf of the CEBS Group, found that the project proposal contained all essential elements, except for financial information. Being positive in principle towards that proposal, it looked forward to having it complemented with costing details before final consideration.

196. The Delegation of Morocco, speaking on behalf of the African Group supported the project proposal and looked forward to the expected outcomes, since the project would help to implement DA Recommendations.

197. The Delegation of Indonesia, speaking in its national capacity, stated that the project sought to document regional gastronomy in the project's beneficiary countries and to stimulate economic activity and increase added value in the gastronomic tourism sector. Among the sixteen subsectors of Indonesia's creative economy, gastronomy was one of the top three that involved women and SMEs. It expressed interest on how IP could support the development of the gastronomic industry as part of the larger creative economy. It was supportive of the proposal's general objective and looked forward to constructive and positive discussion of the proposal, including the finalization of the budget and costing detail.

198. The Delegation of Austria, speaking on behalf of the EU and its member states, welcomed the fact that the revised proposal incorporated links to concrete DA Recommendations, to other programs and DA projects as well to Expected Results. It was in favor of extending the project to three more developing countries selected according to clearly defined criteria. Although it was satisfied with the general structure of the document, it requested more information on the financial dimension before it could fully support the proposal.

199. The Chair informed the Committee that the Secretariat would provide the costing related to the project by Thursday of that week.

200. The Delegation of Canada was pleased that the Delegation of Peru had integrated some of its comments. Connecting it to preexisting projects, such as the project on Intellectual Property and Tourism and Culture in Egypt and other Developing Countries, made it possible to learn from those initiatives and apply lessons learned. The proposal was on the right path, although it needed more information about the budget. The criteria for selecting beneficiary countries could also be reviewed so as to ensure geographic balance. It suggested that the information be shared among pilot countries to enable them to engage in a constant dialogue and exchange regarding their experiences in that project.

201. The Delegation of Colombia supported the statement delivered by the Delegation of El Salvador on behalf of GRULAC and expressed interest in participating as a beneficiary country.

202. The Delegation of Chile reiterated its support for the project. The gastronomic and touristic sector had great potential and could be exploited, particularly by using IP. It was happy to see the revised project, which discussed the impact with concrete measures for its implementation. It hoped to see more details by Thursday that week. It requested to be considered as a pilot country.

203. The Delegation of Mexico referred to the project presented by the Delegation of Peru. The Mexican Institute of Intellectual and Industrial Property was dedicated to promoting trademarks and the use of denominations of origin such as tequila, rice, vanilla and other products. Given the importance of those types of products, the project could contribute to enriching the traditions of countries that enjoyed those types of IP. It supported the initiative.

204. The Delegation of Burkina Faso supported the project proposed by the Delegation of Peru.

205. The Delegation of Brazil reiterated its support for the revised proposal put forth by the Delegation of Peru.

206. The Delegation of Gabon supported the project presented by the Delegation of Peru.

207. The Chair stated that the Committee, in principle and *ad referendum*, endorsed the project proposal by the Delegation of Peru, with the understanding that the Secretariat would provide information on the budget of the project. He postponed formal approval to the Thursday session.

Document under consideration CDIP/22/12 – Project on Strengthening and Development of the Music Sector in Burkina Faso and in Certain African Countries Proposed by Burkina Faso

208. The Delegation of Burkina Faso introduced its Project on Strengthening and Development of the Music Sector in Burkina Faso and in Certain African Countries (document CDIP/22/12). The project met the spirit of the DA, particularly Recommendations 1, 2, 4 and 11. It had used the project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries as its model. Like the audiovisual sector, the music sector was increasingly complex, lacked structure in the value chain and was underdeveloped. Music was a dominant art in Africa along with the audiovisual sector. It was a promising sector with great potential for employment. Its strength was the popularity of the music. New economic models had arrived and Africa had to overcome the digital divide. Those were the reasons for the need of greater structure in the music sector. Music was also important in the audiovisual sector, which could also promote the music sector. There was increasing growth in both sectors. Music and audiovisual works were both sold throughout the same mechanisms, such as downloading and streaming. The pilot project would take into account the specifics of each country, as specified in the DA, and respond to African countries' needs in particular. The project aimed to implement the DA by creating and allowing for the consumption of music. Numerous difficulties prevented that sector from achieving its full potential, including difficulties in rights management in the digital environment. The project would be carried out in successive stages. One concerned identifying the legal aspects of copyright and related rights in the online environment. Training would be provided in that regard. There would be a strengthening of copyright and related rights with the authorities. Encouraging the development of the audiovisual sector in beneficiary countries would benefit the actors and allow them to better understand the IP system in order to better manage IP when developing strategies at each step of the process. For local distribution, SMEs would be involved for the local and international markets. That would provide an improved respect of IP; the development of infrastructure would ensure greater respect of copyright. The strategy of the institutions would be adapted to each beneficiary country. Those countries would be the same as those that had participated in the previous project and there would be effective discussions between those countries. The beneficiaries would be rights-holders (such as music producers, authors and composers, performers, production and distribution companies), banking and micro finance institutions, legal experts and collective organizations. It was based on a public-private partnership that would involve the organizations in the countries involved, international organizations and external consultants from Africa and elsewhere. The project would last twelve months and the budget would be the same as that allocated to the audiovisual project i.e. 542,000 Swiss francs.

209. The Delegation of Senegal stated that the music sector was one of the most dynamic and popular ones in Africa. However, it was characterized by a lack of organization. In addition, there were difficulties related to the digital revolution of which it had yet to seize all of the advantages. The capacity to copy, the ability to share files, the amazing ability to store files and the opacity of the new economic model had caused chaos in that sector which, however, did have significant potential for added value. The project would allow to make the best of the

digital environment for African artists, for those involved in African music and to best benefit the African economy in general.

210. The Delegation of Morocco, speaking on behalf of the African Group, pointed out that the project, among other things, aimed to promote respect of copyright in beneficiary countries. It expressed its support for the project, which intended to accompany the dynamism of the musical sector.

211. The Delegation of Canada, speaking on behalf of Group B, acknowledged the challenges identified in the project proposal's presentation and welcomed the Delegations of Burkina Faso's readiness to address those challenges not only at the national level but also regionally. It welcomed the proposed project and agreed that an extension of the current project on the strengthening and development of the audiovisual sector to the music sector could promote the use of IP in that sector and contribute to promoting its development in beneficiary countries. It welcomed that, through that extension to the music sector, the project sought to make use of synergies and avoid duplication of work. It considered the proposed project as a complementary phase to the last two phases of the project on the audiovisual sector. It welcomed the integration of some of the outcomes of the last phases of the audiovisual project with a view to avoiding duplication of work under the new music project. It welcomed the use of the existing management structures and lessons learned. It encouraged the Delegation of Burkina Faso and the Secretariat to work together to provide additional details including on objectives, outcomes, delivery strategy and budget and to incorporate lessons learned and appropriate recommendations from the evaluation of the current project.

212. The Delegation of Lithuania, speaking on behalf of the CEBS Group, stated that, in principle, the project seemed very relevant, aiming to address challenges related to music sector. However, it wished to hear more about the specificities that had not yet been addressed in the project on the audiovisual sector and that would be targeted by the new project proposal. It welcomed further refinement of the proposal according to the traditional template and encouraged the Secretariat to assist the Delegation of Burkina Faso in elaborating necessary additional details, including the costing of the project.

213. The Delegation of Austria, speaking on behalf of the EU and its member states, generally supported the idea behind the proposal and agreed on the importance of capacity building. Nevertheless, the proposal needed to be further elaborated, have clearly defined project objectives (i.e., raising awareness among the target groups), a list of activities and outcomes, descriptions of the main beneficiaries and stakeholders involved, as well as budget information. It asked the Secretariat to assist the Delegation of Burkina Faso with the finalization of those aspects. It looked forward to discussing a revised project proposal at the following session.

214. The Delegation of El Salvador, speaking on behalf of GRULAC, expressed its support to the proposal, as it would be very positive and would strengthen the development of the music sector in Burkina Faso and other African countries, particularly through copyright in the digital environment.

215. The Chair noted the requests by several delegations for further information about the project. Since it was the first time that the CDIP was discussing that project, he suggested that the Committee decided that it had considered positively the project proposal in document CDIP/22/12 and requested the Delegation of Burkina Faso to revise it with the support of the Secretariat for consideration at its following session. He gave the floor to delegations again before adopting the proposed decision.

216. The Delegation of Tunisia extended its support to the project proposal, which met African countries' needs and was in line with the DA. The added value of the project for beneficiary

countries was undeniable. It further aligned itself with the statement made by the Delegation of Morocco on behalf of the African Group.

217. The Delegation of the United States of America recalled that it had strongly supported Phases I and II of the project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries, which was expected to be finished in December 2018. The proposed project appeared to be an extension of that project to the musical industry. While it found the project proposal interesting and generally supported the idea behind it, a lack of detailed information hindered a meaningful evaluation of the proposal. Nevertheless, it had carefully reviewed the project proposal and offered the following observations, suggestions and questions, which it hoped would be taken into consideration in the preparation of the revised project proposal. It suggested that the narrower scope of online music consumption would make the study easier to undertake. Digital consumption had the most potential for all players in the music sector and a greater ability to be impacted by regulation than physical markets. The project might be overly ambitious as it sought to address the interests of a wide range of players in the industry. Consideration might be given to narrowing the project, for example, to one or more categories of players in the music market. Additionally, there was a need for more information regarding the materials and activities that would be most meaningful to those players. For example, the music module could not be evaluated in the absence of more detailed information. It wondered if the project would include an in-depth evaluation of current and historical impediments to the development of the music market. Other parts of the proposal had more potential for immediate positive effect. It would be useful for the evaluation to be more specific about the poor structuring of the value chain and specifically the problem areas in the value chain for music. In terms of activities, it might be worthwhile to facilitate the music sector dialogue about ways to encourage licensing and the challenges faced. It wished to see the independent evaluation findings and recommendations incorporated into the revised project document to the extent applicable, as both projects seemed to be closely related and the evaluators' recommendations would be very pertinent to the design and implementation of that project, especially with respect to training activities. It looked forward to considering a revised project document at a future CDIP meeting.

218. The Delegation of Côte d'Ivoire stated that the proposal had arrived at a particularly good time and met the needs that followed from the audiovisual sector project. The development of the audiovisual sector was inseparable from the music sector, which was a vital industry and generated substantive revenue. The proposal, therefore, deserved its support. The Delegation expressed its wish to be included as a pilot country, as it had been included in the audiovisual sector project and wished to maximize the added value available therein.

219. The Delegation of Indonesia, speaking in its national capacity, expressed its support, in principle, of the objectives of the proposal, in particular in trying to answer the question of how to leverage the dynamism of music and audiovisual media by ensuring the proper implementation of copyright and related rights in the digital era, where distribution and consumption of music were shifting toward online platforms. It looked forward to more detailed discussions, including deliberations on the specifics of the project proposal within the framework of the CDIP.

220. The Delegation of Brazil expressed support for the project proposal presented by the Delegation of Burkina Faso.

221. The Delegation of Gabon associated itself with the statement made by the Delegation of Morocco on behalf of the African Group. The proposal responded to a genuine need with regard to the challenges that the music industry faced at a global level and particularly in Africa. The structuring of the music sector through the use of IP would undoubtedly enable it to enhance the sector to the benefit of developing countries. Hence, it supported the proposal.

222. The Delegation of Morocco, speaking in its national capacity, supported the project proposal presented by the Delegation of Burkina Faso.

223. The Delegation of South Africa stated that a number of initiatives, one of which within WIPO, reflected on how to inspire the youth to use their own innovation and creativity to find employment, including in the music sector. It welcomed an intervention that aimed at formalizing and strengthening the music sector and the role of the youth within that sector. It supported the proposal.

224. The Delegation of Nepal supported the proposal by the Delegation of Burkina Faso.

225. The Delegation of Burkina Faso expressed its gratitude to all of the countries who had believed in the timeliness of the project and had given their approval and positive comments. It stated that it would work with the Secretariat to provide a revised proposal at the following session, taking into account the comments raised.

226. The Chair concluded the discussions on document CDIP/22/12. The Committee considered positively the project proposal and requested the Delegation of Burkina Faso to revise it with the support of the Secretariat for consideration at its following session.

Document under consideration CDIP/22/15 – Proposal for a Pilot Project on Copyright and the Distribution of Content in the Digital Environment Submitted by Brazil

227. The Delegation of Brazil presented its Proposal for a Pilot Project on Copyright and Distribution of Content in the Digital Environment (document CDIP/22/15). The presentation was divided in two parts: (i) the motivations behind the proposal and (ii) the proposal itself. It quoted the words of WIPO's Director General at the 2018 WIPO Conference on the Global Digital Content held in New Delhi, India, that expressed the motivation behind the project proposal: "The digital economy has transformed the creative sector. The past twenty years have seen a profound change in the landscape, notably how creative content is produced, curated, distributed and consumed, affecting every stage of the value chain in the content industries. It has created new tools for the creation and distribution of cultural content, providing exciting new opportunities for both consumers and creators alike. However, this global shift to digital has shaken the foundations of long-established business models at a rapid pace and new, adaptive practices need to emerge." The remarks made by the Director General highlighted the exponential growth of digital platforms as new distributional channels of audiovisual content. That new market had been initiated in 2007, when the digital platform Netflix had launched its first online rental services. At the time, Netflix had spent USD 40 million on IT and USD 6 billion on copyright licenses to enable that new business model. One could imagine how much it would be in 2018. Notwithstanding the exponential growth of the online market, there was no comprehensive study assessing copyright and related rights of audiovisual content in the digital environment in Latin America, even in the region's largest markets. The objective of the proposal was to fill that gap. The reasons for choosing that topic were: (i) the growth of digital distribution of audiovisual content worldwide and the particular exponential growth in Latin American countries; and (ii) the increasing availability of Latin American content in digital platforms. There were about 90 digital platforms in the whole of Latin America for "video on demand" (VOD), services where customers can decide when, where and what they wanted to watch. That involved downloads and streaming. The revenue from the digital platforms in Latin America were zero in 2010, USD 1.9 billion in 2016, and were estimated to reach USD 4.6 billion in 2022. It was a huge growth in a fairly small amount of time. The largest providers of VOD in Latin America were, by far: Netflix, Amazon Prime, Blim, Claro from Mexico, HBO and many others. A lot of SMEs were exploring more and more that field. According to Nielsen, a leading global information and measurement company, in 2006 the region had 17.5 million VOD subscribers. It was expected to reach 32.5 million subscribers in 2022, which would be a huge growth in a small amount of time. Worldwide, Latin America had

the third largest number of Netflix subscribers. Netflix was the largest platform acting in Latin America, so it could be used as a proxy. In terms of Netflix subscribers, the first region was North America with 66 million, then Western Europe with 32 million, and Latin America ranked third with 17.1 million. It was remarkable that Latin America was even in front of regions like Asia-Pacific, which only had 12 million. Eastern Europe had 5 million and Africa, 2 million. That gave a sense of the growing importance of that market to Latin American countries. Brazil was Netflix's third largest market. It accounted for 6 per cent of all of the company subscriptions. Brazil was the non-English speaking country with the most series in the platform. Should the project proposal be approved, it would be implemented in Brazil and five other beneficiary countries, to be selected based on the following criteria: the largest markets, sub-regional balance, and coproduction. The intention was to undertake the study in some of the countries that represented 80 per cent of the total digital platform market. Despite such remarkable growth, only 16 per cent of the population in the main Latin American countries were VOD subscribers, which showed great potential for expansion. The 16 per cent represented nearly 50 per cent of Internet users; there was great space to grow. Overall, the Internet penetration in Latin America was on average 60 per cent, and three quarters of Latin Americans who were connected to the Internet watched content online. In only the past year, Mexico, Brazil, and Argentina had produced approximately fifteen shows and movies and co-productions together. With digital platforms and VOD, there were many productions not available in traditional means such as open TV or cable TV. A lot of studies had assessed, from a legal standpoint, the distribution of audiovisual content through the lens of traditional channels like movies, open TV, cable, etc. However, there was a need to explore the online distribution of audiovisual content from a copyright perspective, particularly the right of making available where users chose the time and place to access the works, which had been recognized in the WIPO Internet Treaties and in the Beijing Treaty on Audiovisual Performances. There was no conflict between the SCCR and the CDIP in terms of topic. The SCCR held normative negotiations, followed a top-down approach and made broad-based studies. In the SCCR, there were no projects like in the CDIP, which followed a bottom-up approach. Moreover, many studies had been carried out in the context of the CDIP on copyright. The proposed project aimed at identifying copyright and related rights in the distribution of audiovisual content in the digital environment, providing a better understanding of the industry for local creators, rights owners and stakeholders. The project had two outputs. Output 1 had three activities and Output 2 had two. The overall idea of Output 1 was to increase awareness of the role of copyright and related rights in the distribution of audiovisual content online. The first activity was to commission a study on the licensing of online distribution of audiovisual works in selected countries. While the literature was extensive on traditional means of distribution, it was very limited for the legal analysis of copyright and related rights for the licensing of content through the digital environment. The first study would try to answer questions such as: Who is the author of the work? Is there any presumption of transfer to the producer? What are the rights recognized to actors? What are the differences between the declaration of rights in the digital environment? Would it be easier or more complex to license for digital platforms? Is it compatible with other exploitations? Those were a few examples of the questions that would likely receive a very different answer in each of the six pilot countries. Activity 2 was to create a country summary of national copyright and related rights derived from that study. It would be a more profound study, based on the first study in Activity 1, to disseminate information and raise awareness about copyright and related rights in the various countries. In Activity 3, the idea was to commission a study on audiovisual works in the public domain in participating countries. The rationale behind that was to find out if works in public domain were in the digital platforms. Based on some previous work, they were not. The intent was to attempt to understand why those works were not in the digital platforms. As for Output 2, the objective was to have a better understanding of the status of licensing in the digital environment. Activity 1 consisted in case studies with concrete examples of local productions distributed online to see the successful and not-so-successful stories of movies and series produced in those pilot countries. Activity 2 was an economic assessment of the digital audiovisual market. That study would be conducted by WIPO's Chief Economist, Mr. Carsten Fink, and his team. Since there were doubts from many delegations related to the

implementation of that study, the idea was to seek a better understanding of who were the main stakeholders in competition to provide content online. It would also answer questions such as how much online audiences had been growing over time and what their characteristics were. Moreover, it would gather evidence on what type of audiovisual content was or was not provided online in a given country. For example, it would be interesting to study where online content originated from and who invested in online content. The idea was to map those issues. Using the word “value chain” could be too ambitious, so it took a more cautious approach and start answering basic questions, keeping the possibility of going further in the future. The feasibility study would depend on the level of detail in the data accessed and the quality of data supplied. For Activity 3, the idea was to hold two workshops to gather information on the work done and to exchange information and national experiences. They would be held at the technical level. Having two separate workshops (three countries for each workshop) would allow for deeper interaction and would be cheaper and more effective. Activity 4 consisted of a regional seminar to share the lessons learned. The intention was not only to hold a seminar with the six pilot project countries, but with all nineteen Latin American countries to share the lessons learned, present results, and eventually expand the results to other countries, revising and tailoring to the specific realities of other Latin American countries. The Delegation stated that it had put a lot of effort in that project, which was very important for Brazil. It hoped to be able to count with the support of all Member States. It was open to suggestions, which it could hopefully address during the week.

228. The Delegation of Senegal supported the proposal by the Delegation of Brazil.

229. The Delegation of El Salvador, speaking on behalf of GRULAC, supported the proposal submitted by the Delegation of Brazil. The proposed pilot project had clear objectives and concrete activities to improve understanding of the online use of audiovisual content and was in line with the DA Recommendations. The VOD market in Latin America was booming. Latin America was the third largest market in the world with more than 20 million subscribers to online VOD platforms. It had witnessed an increase in local and Latin American audiovisual content. As a result, new forms of distribution brought great possibilities for local creative industries. On the other hand, although the market had developed in the previous ten years, very few studies had been able to clearly explain the rules relating to copyright and related rights applicable to online use in countries of the region. The importance of the creative audiovisual industry demanded a better understanding of the laws applicable in various Latin American countries. The pilot project would take into account the main markets and look at the similarities and differences in the various countries in Latin America.

230. The Delegation of Morocco, speaking on behalf of the African Group, stated that the pilot project would make everyone better aware of the national laws relating to the digital environment in participating countries. The project met DA Recommendations 1, 3, 4, 10, 11, 16 and 25 and 35, and project’s aim, budget and modalities were adapted to the evaluation and planning of CDIP projects. It supported the proposal.

231. The Delegation of Canada, speaking on behalf of Group B, noted with interest the challenges and opportunities outlined in the proposal presented by Brazil, and it looked forward to discussing further.

232. The Delegation of Lithuania, speaking on behalf of the CEBS Group, pointed out that there were particular challenges faced by copyright owners in the digital environment and highly welcomed the proposal aimed at addressing those challenges. It also noted that the intention was to implement a pilot project that would allow possible replication in other countries or regions. Thus, it requested more explanations about the outcomes expected which could later serve as templates for replicated projects. It looked forward to the adjustment of the budget of the project to the estimates of the Secretariat. It considered the proposal positively.

233. The Delegation of Austria, speaking on behalf of the EU and its member states, stated that its preliminary views on the proposal were very positive. It would appreciate having more in-depth information regarding the selection criteria of the additional participating countries as well as on the budget, which would be revised at a later stage by the Secretariat. It looked forward to discussing the proposal.

234. The Delegation of Tunisia expressed its support for the project proposal, which was in accordance with many DA Recommendations. It hoped that the project would provide further support to the activities in that field. It believed in the importance of protecting copyright, especially following the digital revolution and in an interconnected digital environment. It thanked the Delegation of Brazil for clarifying the various aspects of possible conflict or absence thereof between the CDIP and the SCCR.

235. The Delegation of the Russian Federation stated that the project was very timely and of general interest. It had many interesting ideas, particularly as concerns the study of the legislation. The Delegation hoped that the project's implementation would make it possible to better protect copyright with a positive impact on the audiovisual sector in the pilot countries and other countries.

236. The Delegation of China appreciated the work done efficiently by the Delegation of Brazil. The proposal was of great significance to the CDIP's work. It agreed to the proposal under the Chair's leadership. It would participate actively in the discussions.

237. The Delegation of Indonesia, speaking in its national capacity, stated that industries that made use of copyright were often referred to as the copyright-based or creative industries, generating direct and indirect contributions to economic performance and development and were considered of growing importance based on their economic and social contributions. It was important to keep incentivizing authors, creators and other actors and stakeholders that put investment in necessary skills to create and produce creative and cultural goods by protecting the rights under the copyright and related rights regime, especially in the digital age where distribution took center stage over reproduction. It strongly supported the aim of the project to provide clear information about the copyright and related rights regime applicable to licensing and distribution of audiovisual content in the digital environment. It looked forward to the constructive discussion of the proposal towards a positive decision.

238. The Delegation of Brazil provided some answers to the questions raised by some delegations. Regarding the selection criteria, the intent was to have the largest markets as well as sub-regional balance (South America, Central America and North America). One or at most two countries where there were incipient initiatives should be assessed. As for the revised budget, the Secretariat was waiting for the round of questions to provide a revised budget in the course of the CDIP week. The initial budget was forecasted at USD 490,000 and the Secretariat could elaborate further. Initially the project had been designed for four countries, but given the high interest, it had been increased to six countries. The Secretariat could give more information about the budget.

239. The Delegation of Guatemala stated that there had been an exponential increase in the consumption of audiovisual content through digital means. Like in the traditional value chain, in new channels of distribution of audiovisual content the remuneration of creators and rights holders was important. It supported the protection of copyright of digital content, which should be made easily accessible in various territories. At the end of the proposed project, one needed to determine the copyright and related rights affected by the distribution in the digital environment and legal frameworks, providing a better understanding of that sector among interested parties, particularly rights holders and local creators. Therefore, it supported the undertaking of a study on the copyright and related rights legal framework and a study of the use of works in the public domain. An economic evaluation of the audiovisual market,

workshops on the granting of licenses on audiovisual content and a regional seminar on copyright and distribution of content in a digital environment would be useful. The seminar needed to look at the results and studies of workshops on the commercialization of audiovisual content. With regard to the evaluation of the project, there should be an annual report to the CDIP on the activities undertaken. A presentation to the CDIP would raise awareness about the function of copyright, improve understanding of licensing in the digital environment, increase awareness about the function of copyright in the distribution of audiovisual content and improve understanding of the situation in licensing in the digital environment, respecting the fundamental principles under the Berne Convention on the Protection of Artistic and Literary Works.

240. The Delegation of Burkina Faso supported the proposal by the Delegation of Brazil.

241. The Delegation of Costa Rica supported the proposal by the Delegation of Brazil.

242. The Delegation of Peru supported the proposal by the Delegation of Brazil.

243. The Delegation of the United Kingdom welcomed the projects discussed throughout the session as they confirmed the pursuit of the demand-driven process. It supported the proposal presented by Brazil and appreciated its notion to pursue an evidence-based approach. However, in order to understand better the scope and budgetary implications, it requested beneficiary countries to be listed and an updated budget to be shared.

244. The Delegation of the United States of America had some concerns and questions, and it hoped to discuss them with the Delegation of Brazil and come back on the Thursday session with a more precise statement.

245. The Delegation of Chile supported the proposal by the Delegation of Brazil.

246. The Delegation of Nepal supported the proposal by the Delegation of Brazil.

247. The Delegation of Argentina supported the proposal by the Delegation of Brazil.

248. The Delegation of South Africa supported the proposal by the Delegation of Brazil and appreciated the gap that the project looked to address.

249. The Delegation of Switzerland generally supported the thrust of the proposal by the Delegation of Brazil. In order to improve the proposal further, a number of comments and questions for clarification should be addressed. The project should benefit from work and experiences gained in ongoing projects and existing studies. Accordingly, the proposal should reflect and make reference to that, also in order to avoid duplication of work. It had already shared its questions with the Delegation of Brazil. It requested that those questions be integrated into the revised project proposal. It stated that it would continue engaging into the discussion on the revised version in the most constructive manner.

250. The Delegation of the UAE supported the proposal by the Delegation of Brazil.

251. The Chair requested the Delegation of Brazil to come back on the Thursday morning session to inform the CDIP, orally or in writing, about its bilateral discussions with various delegations. He postponed the discussion until Thursday morning.

252. The Secretariat (Mr. Irfan Baloch) made an announcement stating that Ms. May M. Hassan, Founder of IP Mentor, Intellectual Property Attorney and Field Researcher, IP Trainer in the National (start-up) Intellectual Property Academy, author of the document CDIP/22/INF/4, would not be able to attend that CDIP session. The presentation of that document was therefore cancelled.

Document under consideration CDIP/20/8 – Discussion on the Revised Proposal of the African Group Concerning the Biennial Organization of an International Conference on Intellectual Property and Development

253. The Delegation of Morocco, speaking on behalf of the African Group, introduced the Revised Proposal of the African Group Concerning Biennial Organization of an International Conference on Intellectual Property and Development (document CDIP/20/8), which had originally been presented at the 19<sup>th</sup> session of the CDIP. Encouraged by the results of the International Conference held in April 2016 on IP and Development, the African Group, had submitted a proposal (document CDIP/19/7) for a biennial conference in order to institutionalize that meeting in the WIPO agenda. Subsequent to the debate held at the 19<sup>th</sup> session of the CDIP, a revised proposal had been submitted at the 20<sup>th</sup> session of the Committee, in order to further clarify the African Group's proposal, bearing in mind the issues raised. The revised proposal was as follows: the principle objective of the conference was to inform Member States on recent developments in the area of IP and development, which would allow participants to discuss the pertinence of IP for economic and cultural development. The conference would be held in Geneva or in another country proposed by Member States. It should be held in the first half of the second year of the WIPO budget cycle and would last two to three days. It would be held every two years over a six-year period, starting with the 2018/2019 biennium. The specific issues raised would be around how to benefit from the IP system. The results of the outcome of the conference would be submitted in a factual report to the CDIP. A number of delegations considered the organization of such a conference on IP and development urgent and critical, and had expressed their interest in holding such a conference. An international conference of that kind could contribute in a positive manner to agenda items in the area of cooperation for development in the area of IP. It was an important initiative which should be considered. The Committee had to bear in mind the organization of previous international conference which had been successful and lauded by participants. The Group noted the Chair's leadership in trying to find a compromised solution at the Committee's previous session, as well as the flexibility of the members of the African Group. The presented document was a result achieved by the Member States participating in the informal meetings and an agreement was almost achieved. Unfortunately, that agreement was linked to another agenda item. The Group expressed hope that during the current session the issue would be positively resolved.

254. The Chair called for a decision on the proposal. The African Group had shown flexibility and accommodated its response. It was no longer asking that the international conference be a standalone event. It would rather be held over one day within the CDIP week. He recalled the proposal by the Chair during the informal consultation at the previous session which stated that the conference would be held on the first day of a CDIP session with the title "How to Benefit from the IP System." The proposal of the African Group was to the effect that a conference be held every two years for an initial period of six years, starting from the 2018/2019 biennium, which meant three conferences in total. The Chair proposed that holding the conference would be not automatically biennial, but for the second and third iteration, the topic would have to be agreed. Recommendation 1 from the Independent Review was proposing a high-level meeting to discuss and exchange views and to share knowledge, best practices and lessons learned among a high level of attendees. The Chair proposed the following decision: "The Committee decided to convene a one-day biennial International Conference on Intellectual Property and Development on the first day within the CDIP weeks, starting from CDIP 23<sup>rd</sup> session, with the topic "How to Benefit from the IP system. The second and third conferences are subject to the agreement on the topics by the Member States. The Committee tasked the Secretariat to implement the decision on the basis of the balance and fairness, including the selection of speakers and format." He opened the floor for comments.

255. The Delegation of Lithuania, speaking on behalf of the CEBS Group, noted that document CDIP/20/8 had been already considered by the Committee at its previous sessions. It recalled

that the 21<sup>st</sup> session of the CDIP, had been prepared to make the big step towards the compromise solution proposed by the Chair, but it had not worked at the end. It did not see any further developments that were convincing of the need to hold biennial conferences on IP and development. On the contrary, there were many interesting proposals to be discussed under the agenda item on "IP and Development", thus it had to concentrate efforts on extensive preparation for that discussion so as to fully exploit opportunities provided by that new setting.

256. The Delegation of El Salvador, speaking on behalf of GRULAC, stated that it had always expressed support for that proposal in the CDIP because it considered that type of activity a significant contribution to inter-sectoral dialogue on IP topics. It reiterated its support for the proposal and agreed with the holding of an international conference as described in document CDIP/20/8. It was also prepared to support the Chair's proposal.

257. The Delegation of Indonesia, speaking on behalf of the APG, was hopeful and supportive that the Committee would be able to agree on the convening of the proposed international conference by consensus. It hoped that the proposal could build a consensus around all Regional Groups and Member States.

258. The Delegation of Canada, speaking on behalf of Group B, stated that the formal proposal was still the one in document CDIP/20/8. The new proposal by the Chair still had informal status, therefore the Group needed to coordinate on that issue.

259. The Chair said that the proposal by the Chair was indeed informal. Groups had the right to discuss it among themselves. However, the CDIP should decide on that issue during the session.

260. The Delegation of Algeria supported the statement made by the Delegation of Morocco on behalf of the African Group. The holding of an international conference on IP and development was the best format for a true and substantive discussion on that subject. It would add value to the CDIP's work because it would allow exploring new ways of dealing with emerging issues and new challenges in the area of IP, and it would also help to draw up programs adapted to Member States needs in the area of capacity building. An international conference on IP and development was in line with Recommendation 1 of the Independent Review. It hoped that the Committee would reach an agreement on organizing that important conference.

261. The Delegation of Austria, speaking on behalf of the EU and its member states, said that although it had prepared a statement regarding document CDIP/20/8, it was happy to proceed with the proposal by the Chair. However, it echoed the intervention by the Delegation of Canada on behalf of Group B, that it needed a short coordination meeting before going into substance.

262. The Delegation of India noted that was a long-pending proposal that merited serious attention from the CDIP. The last such conference in April 2016 had been well attended and had held discussions on specific, relevant themes on the subject of IP and development. The idea was to institutionalize the process initiated in 2016 so as to devote more focus to an area that was core to the implementation of the DA Recommendations. It appreciated the flexibility shown by the African Group to fine-tune its earlier proposal. Hence, it supported the African Group's proposal and looked forward to positive and forward-looking discussions thereon.

263. The Delegation of Iran (Islamic Republic of) supported the proposal by the African Group. It expressed its regret that after extensive discussions on all aspects of the proposal, the Committee had not concluded its discussion in that regard yet. It was time to finalize the consideration of that proposal. The International Conference held in 2016 on IP and Development proved to be a useful initiative by spreading awareness among Member States. Should some delegations or groups have issues with the terms of reference or modalities of the

conference or the main theme to be discussed during the conference, the CDIP should work on those issues. However, agreement on organizing the international conference should be reached at that session and could not be deferred any longer. The Delegation was in a position to support the Chair's proposal.

264. The Delegation of Ecuador supported the African Group proposal. It would lead to a greater understanding of the IP system and development. It would help public policies to consider an IP system as a development tool and not as an end in itself.

265. The Delegation of the Czech Republic welcomed the compromise proposal by the Chair. It recalled that it had been very exhausting to reach compromise on the terms of reference of the previous high-level conference. One had to be more pragmatic and responsible. Sometimes less was more. It called on Member States to think about the option of organizing regular roundtables or expert panels at each CDIP, for example, for only half a day and on one topic only. What was needed was synergies among experts, not parallel high-level discussions. There was indeed a need for some continuation with the conference that had been organized, but in a smaller format, such as seminars, roundtables, or panel discussions. It referred to the IGC, where there were regular panels of indigenous people experts.

266. The Delegation of South Africa aligned itself with the statement delivered by the Delegation of Morocco on behalf of the African Group. It supported the statement made by the Delegation of Algeria. In the next agenda item, the CDIP was going to look at some of the adopted recommendations from the Independent Review of the DA Recommendations, and Recommendation 1 was about a high-level discussion panel. There was no doubt that the conference proposed by the African Group would also deliver on Recommendation 1. The African Group had shown sufficient flexibility. It looked forward to that matter being resolved as soon as possible.

267. The Delegation of Brazil reiterated its strong support for the proposal of the African Group. The African Group had shown enough patience and flexibility to incorporate most of the suggestions made by other Member States. The proposal put forward by the Chair was just another example of that. If the Committee kept watering down the African Group's proposal, the idea of having a high-level conference was going to end up being a chat in a coffee break and there was a limit to that. The African Group had shown enough flexibility. Members should reflect upon that. Clear progress had been made to bridge the gap among the different points of view, which gave hope that an agreement might be finally reached. Therefore, it urged all the members that had not yet expressed their support to the African Group to show some good will to finally approve the proposal in the session. In multilateral negotiations, compromise was the most important word, and the African Group in that particular matter had been compromising. A constructive spirit, good will and confidence building took time and lot of effort, but to lose all of it was easy. Thus, it was important not to lose the confidence building achieved in the CDIP, which had been making a lot of progress over the last sessions, under the Chair's leadership. The Delegation expressed hope that all delegations would make an effort to approve the African Group's proposal or the Chair's suggestion.

268. The Delegation of Canada, speaking on behalf of Group B, enquired, without prejudice and noting that it might have further questions later on, if the proposal on the screen was a proposal by the African Group or by the Chair.

269. The Chair said that the proposal on the screen was the proposal from the Chair, not from the African Group. The Chair's proposal had come about after consultations with many delegations, particularly the African Group. He appreciated that the African Group had sought so many flexibilities, including not insisting on the standalone event or that it should be automatically biennial.

270. The Delegation of Austria, speaking on behalf of the EU and its member states, enquired whether the intention was to convene the conference in the CDIP week, there would be parallel work in the CDIP and in a conference or if the conference would replace one day of work in the CDIP.

271. The Chair clarified that the first day of the CDIP week would be devoted to an international conference. It would not be held in parallel.

272. The Delegation of Switzerland recalled the statement by the Delegation of the Czech Republic and said that, in the past, there had been fairly exhausting negotiations to decide on an International Conference on IP and Development in 2016, so one should not repeat that exercise and see how far one could achieve some kind of synergy between the subjects. Recommendation 1 from the Independent Review had been referred to by other delegations, and the Group wondered whether the African Group proposal would be in line with that Recommendation. Recommendation 1 had already been implemented with the creation of a new item on the agenda on "IP and Development". The proposal for the subject suggested by the African Group, "How to Benefit from the IP System," could just as well be dealt with under that new item on the agenda. It did not need a new conference to achieve that aim, which was to discuss that subject. Therefore, the CDIP could also examine the possibility of discussing the topic proposed by the African Group under that agenda item. The Delegation assured that the Chair could count on its constructive attitude. It looked forward to working on that further with interested delegations.

273. The Chair recalled that the discussion was about the African Group proposal and not about the recommendations of the Independent Review or some others format or forums. There was a proposal from the African Group to have an international conference within the CDIP week. The CDIP had to respond to that proposal. The Chair's proposal stated that it would not be standalone and not automatically biennial. The Chair had tried to follow the flexibility of the African Group in his own proposal. It was high time to take a decision. If delegations had any difficulty on agreeing on it, for the sake of clarity, delegations could indicate that difficulty and explain what were their difficulties.

274. The Delegation of Tunisia supported the statement made by the Delegation of Morocco, on behalf of the African Group, and supported the Group's proposal for holding a biennial conference on IP and development. It regretted that the matter was still pending despite the flexibility shown by the African Group whenever that issue was discussed. The Delegation supported the Chair's proposal.

275. The Chair said that the Delegation of Canada, on behalf of Group B, had indicated that it needed time to coordinate the Group on that issue and asked whether a ten-minute break would be right.

276. The Delegation of Canada asked to meet during the coffee break, without suspending the meeting.

277. The Chair said that Group B would meet up during the coffee break.

278. The Delegation of Nepal associated itself with the statement delivered by the Delegation of Indonesia, on behalf of the APG. That proposal had been introduced to the CDIP a long time ago. The proposed initiative would provide a platform for discussion on IP and the DA, which would help share knowledge and exchange views and experiences. IP and development covered much of the global developmental and industrial issues and information thereon was mentioned in documents CDIP/10/16 and CDIP/10/17. The Committee had to agree to the title, time interval of the conference and other few procedural matters. The Delegation recalled that the proposal was six years pending and it was high time to come to a conclusion. It supported

the compromise proposal and looked forward to a timely implementation of the proposed decision.

279. The Delegation of Cuba supported the proposal by the African Group.

280. The Delegation of Angola reiterated its support for the proposal presented by the Delegation of Morocco, on behalf of the African Group. Several arguments had been put forward and it hoped that the session could approve the proposal by the African Group. It thanked the Chair for putting his proposal on the table and said it could align itself on that proposal. It appealed to the other Member States to show flexibility on that proposed decision.

281. The Delegation of Lithuania, speaking on behalf of the CEBS Group, enquired from the Chair how he intended to proceed, as some delegations needed time for consultation. It appreciated the Chair's suggestion, but it needed to consult. It suggested postponing that item until the afternoon to give sufficient time for coordination meetings and to revert back after some progress on other points would have been made, so as not to waste the time on long discussions in plenary.

282. The Chair suggested settling the agenda items one by one.

283. The Delegation of Austria, speaking on behalf of the EU and its member states, referred to the intervention of the Delegation of Lithuania on behalf of the CEBS Group and said it needed some time for consultation, which it would do immediately after the Group B coordination meeting.

284. The Delegation of Gabon supported the statement made by the Delegation of Morocco, on behalf of the African Group. It recognized all the efforts that the Chair was making in order to conclude the discussion on that issue, for which it was very grateful. The proof of the timeliness and interest of holding of such a conference had already been made during earlier discussions on that item. As the Delegation of Iran (Islamic Republic of) had stated, the holding of such a conference should be adopted at that stage. Those delegations that still had doubts should contribute in order to ensure that the proposal would go forward to contribute to the full implementation of the DA. It supported the Chair's compromised solution.

285. The Delegation of Iran (Islamic Republic of) recalled that during the discussions on the Program and Budget in 2017, WIPO had agreed to allocate enough financial resources to the organization of an international conference on IP and development under Program 8. The agreement had thus been made, subject to the agreement of the CDIP. With regard to the comments relating to the exhausting negotiation and discussion on the terms of reference, it agreed that it was a legitimate concern, but the CDIP could simply decide to apply the agreed terms of reference for future conferences and then it would not be required to review and discuss new terms of reference for any potential international conference.

286. The Chair invited the groups that wanted to coordinate to do so. The Chair suggested to suspend the meeting for a short break.

287. The Delegation of Morocco, speaking on behalf of the African Group, supported the Chair's proposal to suspend the session to coordinate.

288. The Delegation of Indonesia, speaking on behalf of the APG, supported the Chair's proposal to suspend the discussion to coordinate in order to understand what was really happening and what was wrong with that agenda item.

289. The Delegation of Canada, speaking on behalf of Group B, said it needed to meet more than once on that. It asked to return to it in the afternoon.

290. The Delegation of Lithuania, speaking on behalf of the CEBS Group, repeated its request to return back to that point in the afternoon in order to have proper coordination.

291. The Delegation of Austria, speaking on behalf of the EU and its member states, aligned itself with the statements by the Delegations of Canada, on behalf of Group B and of Lithuania, on behalf of the CEBS Group to come back with that agenda item in the afternoon in order to have sufficient time to reflect.

292. The Chair said that some delegations wished to postpone the discussion until the afternoon. He asked that delegations come back with a decisive position on their part. He recalled that the African Group had moved very far from its previous proposals, showing great flexibility. He said it was the sovereign right of any delegation to have a proposal be discussed and decided. He recalled that the conference would be a one-day event within the CDIP week. It would be a non-harmful international conference. There would be no legally binding decisions. It would just provide a high level forum for exchange of views. He appealed delegations to come to a decision about it. He said the discussion would continue in the afternoon.

293. The Delegation of Morocco, speaking on behalf of the African Group, said that it was a very important agenda item and that the compromise proposal made by the Chair had been agreed to at the 21<sup>st</sup> session of the CDIP. It would be fairer to suspend the session in order to have consultations since that item did not need that much consultation. The Chair should suspend and then the CDIP could come back with a decision.

294. The Chair reiterated his enquiry to the Delegations of Canada and to Lithuania whether they needed more time to reflect.

295. The Delegation of the Czech Republic said it needed more to reflect on the Chair's proposal.

296. The Delegation of Canada, speaking on behalf of Group B, said it had just seen the Chair's proposal and the Group needed more time to give it consideration.

297. The Delegation of Indonesia, speaking on behalf of the APG, reiterated its full consensus and supported the idea of holding an international conference on IP and development.

298. The Chair suspended the discussion to allow informal discussions among delegations.

Documents under consideration CDIP/22/4 Rev., CDIP/21/11, CDIP/19/3 and CDIP/18/7 – Discussion on the Independent Review Recommendations 5 and 11, and Member States Inputs on the Way Forward on the Modalities and Implementation Strategies of the Adopted Recommendations of the Independent Review Recommendations

299. The Secretariat (Mr. Irfan Baloch) recalled that a Report on the Independent Review of the Implementation of the DA Recommendations had been presented at the 18<sup>th</sup> session of the CDIP (document CDIP/18/7). The Committee had considered and adopted all Recommendations, except for Recommendations 5 and 11. At the 21<sup>st</sup> session, the Committee had heard the lead evaluator provide explanations for on Recommendations 5 and 11. The Committee had been discussing Recommendations 5 and 11 for at least three sessions and, at the 21<sup>st</sup> session, it had decided that the matter should be considered again at the 22<sup>nd</sup> session.

300. The Chair recalled that, at CDIP the 21<sup>st</sup> session, efforts had been made to agree on a draft decision suggested by the Chair. It had not yet been agreed because many delegations

had proposed amendments. He requested that the Secretariat shared the draft decision on the screen and opened the floor for comments.

301. The Delegation of South Africa referred to the Chair's proposal as well as the information contained in document CDIP/22/4 Rev. It stated that, during the informal consultations held at the 21<sup>st</sup> session of the CDIP, the African Group had specifically requested the Secretariat to do a mapping of the DA Recommendations and the Expected Results. The Chair's proposal did not reflect that discussion. As a result, it requested that the Committee considered reflecting that discussion held during informal consultations in the draft paragraph proposed by the Chair. It proposed the following draft decision: "The Committee took note of Recommendations 5 and 11 of the Independent Review and requested that the Secretariat consider all of its practices that relate to Recommendations 5 and 11, in accordance with the WIPO relevant mandate and for the Secretariat to conduct a mapping exercise of the Expected Results to the DA Recommendations for information at the next CDIP."

302. The Chair stated that there were two proposals: (i) the Chair's proposal and (ii) the Chair's proposal as amended by the Delegation of South Africa. He opened the floor for comments on the text proposed by the Delegation of South Africa.

303. The Delegation of Canada, speaking on behalf of Group B, thanked the Chair for his proposal. As previously discussed in the CDIP, it supported the first paragraph of the Chair's proposal. However, it had concerns with the mapping proposed by the Delegation of South Africa, which would present some difficulties.

304. The Delegation of Lithuania, speaking on behalf of the CEBS Group, referred to the submission of the Delegation of South Africa as regards Recommendations 5 and 11 contained in document CDIP/22/4 Rev. It did not see any value in the proposed mapping exercise, thus it could not support it. It supported the Chair's initial proposal.

305. The Delegation of Brazil stated that there were clear differences of opinion on Recommendations 5 and 11 of the Independent Review. The proposal by the Delegation of South Africa was timely and very important to clarify those differences. There was a request for a mapping, which would clarify if there was a clear link between the DA Recommendations and the Expected Results. At that moment, no one could affirm that. Even if one did not agree and one thought it had already been implemented, that proposal would help all Member States to make more informed decisions. The mapping, independent of the adoption of Recommendations 5 and 11, would facilitate the discussion. The changes in the results-based management framework to link the Program and Budget expenditure to Expected Results left one or more DA Recommendations vulnerable of not receiving an allocated budget. The Delegation of Brazil strongly supported the request by made the Delegation of South Africa for the Secretariat to carry out a mapping of each DA Recommendation to one or more Expected Results. It did not understand why Member States that argued that both Recommendations were already being implemented did not support the mapping.

306. The Delegation of Austria, speaking on behalf of the EU and its member states, echoed the statements made by the Delegations of Canada on behalf of Group B and of Lithuania on behalf of the CEBS Group. While it agreed with the original language of the Chair's proposal, it had objections regarding the mapping of the DA Recommendations.

307. The Delegation of Switzerland agreed with the statement made by the Delegation of Canada on behalf of Group B. It could not support the proposal by the Delegation of South Africa. It recalled that in the informal consultations held during the 21<sup>st</sup> session, it had clearly stated that the addition of the mapping by the Delegation of South Africa was not acceptable. The Program and Budget for 2018-2019 included an additional item that was not included when the Independent Review had been carried out. Every program on the Program and Budget

included a diagram that clearly established a link to each DA Recommendation. That was an important change, which the Delegation supported and which clearly addressed Recommendation 5. The request of the Recommendation was thus obsolete. Regarding the proposal by the Delegation of South Africa, it stated that it would oppose the addition to the Chair's proposed text, along with other delegations, so it should be put in brackets. It was open to discussing the issue bilaterally and in greater detail to move forward in that discussion.

308. The Delegation of the Russian Federation supported the initial proposal by the Chair.

309. The Chair stated that the initial proposal contained an amendment by a Member State. Referring to the statement by the Delegation of Switzerland, he requested whether it was possible for those Member States who were not in agreement with the Delegation of South Africa to discuss during informal consultations with the Delegation of South Africa and resume the discussion at the Committee later. He highlighted that the proposal used the language "for information," so it was not an action-oriented request. If there was any wording that could be amended or added by Group B or the CEBS Group or other Member States, then the Committee could request the Delegation of South Africa if it support that revised version. He asked to work on the proposal by the Delegation of South Africa and to propose amendments if necessary.

310. The Delegation of Morocco, speaking on behalf of the African Group, requested that the discussion be postponed until the members of the Group had had a chance to discuss it among themselves.

311. The Delegation of Iran (Islamic Republic of) expressed its support for the adoption of Recommendations 5 and 11 of the Independent Review. It stated that it had not received any strong argument why the Committee should adopt ten Recommendations, but not those two. It respected the position of the delegations that were not in favor of adoption, but the proposed decision was only to "take note" and to continue as per current practices. It appreciated the Chair's efforts. The proposal by the Delegation of South Africa added a very important element, which it supported. The mapping that the Secretariat would present to the following session, should an agreement be reached, would be only for the information of Member States. It expected the delegations that were not in favor of a mapping to provide more arguments. Then the Committee could find a compromised solution for those outstanding issues.

312. The Delegation of Angola recalled that the Delegation of Morocco had requested time for all the groups to consult. The proposal made by the Delegation of South Africa was a good proposal which it might accept. It also referred to the explanation given by the Delegations of Brazil and of Iran (Islamic Republic of). It expressed its wish to discuss within its regional group before making a final decision.

313. The Chair recalled that the Committee had adopted the other Recommendations of the Independent Review and only Recommendations 5 and 11 remained un-adopted. There were disagreements among delegations. He pointed out that the proposed text had been watered down to "take note" instead of "adopt." He mentioned that the proposal by the Delegation of South Africa to request the Secretariat to present a mapping was "for information". As stated by the Delegation of Brazil, some delegations wished to have that information. The decision proposed was not action-oriented. If the information was available, there could be a subsequent action-oriented request for the Secretariat, but delegations could then disagree with it and block it. The Delegations of Iran (Islamic Republic of), Brazil, and Morocco on behalf of the African Group had stated that they needed that information. He appealed to those delegations that disagreed to come up with a revision or amendment on the proposal by the Delegation of South Africa. He asked the Delegation of South Africa to discuss with Group B, the CEBS Group and other Member States in order to constructively find a solution and

language that could be acceptable to all. He called upon delegations not to have too many pending issues. The CDIP should work by consensus.

314. The Secretariat (Mr. Irfan Baloch) recalled that the CDIP had adopted all the Recommendations contained in the Independent Review, except for Recommendations 5 and 11. After the adoption of those Recommendations, the Secretariat was advised to await any implementation until the Committee had decided on the strategies and modalities for implementation of the adopted recommendations. At the 21<sup>st</sup> session, the Committee had considered document CDIP/21/11, which was based on a decision taken at the previous session, inviting the interested Member States to provide their inputs on the matter. Document CDIP/21/11 contained a compilation of those inputs. At that time, the Secretariat had received inputs from Group B, the Delegation of Mexico and the Delegation of Peru. At the 21<sup>st</sup> session, the Committee had decided to continue its discussions at the 22<sup>nd</sup> session. Member States were also invited to provide any additional inputs to the Secretariat by September 10, 2018. The Secretariat had received two additional inputs, one from Group B submitted to the Delegation of Switzerland, and another input from the Delegation of South Africa (document CDIP/22/4 Rev.). Member States were also encouraged to discuss the matter amongst themselves during the intersessional period. The Secretariat was not aware of any of those discussions and their outcomes.

315. The Delegation of Canada, speaking on behalf of Group B, noted the important progress made during the previous sessions regarding the adoption of most of the Independent Review Recommendations. It was pleased to have submitted additional input regarding the modalities and implementation strategies of those adopted recommendations, which were intended to align and reconcile Group B's initial input with that of the Delegations of Mexico and Peru. Those harmonized proposals, available in document CDIP/22/4 Rev., represented practical ways forward regarding the implementation of the Recommendations in question. The reporting and review of progress in relation to the Independent Review should be included in the annual Director General's report on the implementation of the DA. That existing report was a useful instrument in that regard, it did not see a need for any parallel, separate reporting mechanism that would create duplication and negatively affect the clarity of reporting regarding the Independent Review. It took note of the Delegation of South Africa's proposed way forward for all Independent Review Recommendations. It noted that the input by the Delegation of South Africa pertained partly to Recommendations 5 and 11. Given that the decision of the 20<sup>th</sup> session of the CDIP called on interested Member States to submit written contributions on the modalities and implementation strategies for "the adopted recommendations," considering proposals for modalities and implementation strategies for Recommendations 5 and 11, which had not been adopted, was irrelevant. The discussion on Recommendations 5 and 11 did not belong to the discussion on document CDIP/22/4 Rev. and CDIP/21/11.

316. The Delegation of Austria, speaking on behalf of the EU and its member states, stated that while the Committee had resolved a number of Recommendations, some outstanding issues were still open. It regretted that the discussions at the 21<sup>st</sup> session had not resulted in a compromise on Recommendations 5 and 11. They were already reflected in the overall activities of the Secretariat. The impressive work done within WIPO to assist, help and cooperate with Member States, especially LDCs, proved to be result-oriented and leading to tangible outcomes. That success was based on a reliable internal organization. Attention should be paid not to overload WIPO with administrative tasks and burdens. That would simply bind resources which could be better used otherwise. Whenever the CDIP decided to assign WIPO a task, it had to carefully weigh the amount of work and the costs against the expected results. The discussions should focus on the Recommendations already agreed. The most recent proposals from Group B, which aimed to find a common approach between the submissions from the Delegations of Mexico and Peru, offered a very good basis for discussions. With regard to the open questions, it was prepared to listen carefully and with an

open spirit to the arguments that might be raised by other delegations. It expressed its sincere hope to be able to solve the remaining issues at that session.

317. The Delegation of Lithuania, speaking on behalf of the CEBS Group, expressed its appreciation for the efforts of the Delegation of Canada on behalf of Group B to align and reconcile its initial input with that of the Delegations of Mexico and Peru. The streamlined proposals presented by Group B in document CDIP/22/4 Rev. gave a clear outlook of steps towards the implementation of the recommendations in question. It supported the suggestion to reflect the progress of implementation of the Independent Review Recommendations in the annual Director General's Report on Implementation of the DA, thus avoiding unnecessary duplication. Unfortunately, it was not in a position to discuss the input by the Delegation of South Africa contained in document CDIP/22/4 Rev., as it mainly focused on Recommendations 5 and 11, which were not yet adopted.

318. The Delegation of Iran (Islamic Republic of) stated that all proposals had their own merits, but there was some redundancy among the proposals. It would be more practical to ask the Secretariat to review all received inputs and compile all received proposals in one document. Then it would be more comfortable for Member States to consider the proposed modalities. It supported the proposal made by the Delegation of South Africa. It agreed that it mainly related to non-adopted recommendations, but it also went beyond Recommendations 5 and 11, as there were some proposed modalities for other Recommendations. Hence, it should be part of the discussion and of a compiled document that the Secretariat could submit to the 23<sup>rd</sup> session for further discussion.

319. The Secretariat (Mr. Irfan Baloch) referred to the Summary by the Chair of the 19<sup>th</sup> session, paragraph 8.1, which stated that the CDIP and its Member States would: (i) "continue to discuss the recommendations still not adopted" i.e., Recommendations 5 and 11; (ii) "discuss modalities and implementation strategies of the adopted recommendations". At the 19<sup>th</sup> session of the CDIP, Member States had wanted to define the modalities and strategies for implementation of the adopted recommendations themselves and then request the Secretariat to implement them. The Secretariat was waiting to receive guidance from the Committee with regard to modalities and strategies; (iii) "define reporting and reviewing process"; some delegations had mentioned that it should be a part of the report by the Director General; and (iv) "review progress. The progress review would take place in the CDIP and Member States might wish to provide some guidance to the Secretariat. The report of the 19<sup>th</sup> session of the CDIP was of interest because at the 18<sup>th</sup> session the Secretariat had been requested to report on the Recommendations of the Independent Review, which it did in document CDIP/19/3. It had requested the Committee to validate the strategy and modalities deployed by the Secretariat to implement those recommendations, to state whether the strategies and modalities by the Secretariat were adequate and, if not, to provide the Secretariat with guidance as to how to improve or adapt to the wishes of the Committee. In column 2 of document CDIP/19/3, the Secretariat was also requested to attribute a Recommendation to the actor. In the Independent Review Report, reviewers had attributed Recommendations to the Committee, to the Member States and to the Secretariat. Hence, in column 2 of document CDIP/19/3, the Secretariat had assigned each recommendation to the relevant actor. If the Committee agreed with the strategies and modalities therein, then the Secretariat had at least addressed one part of the matter. The ones remaining would be the reporting and review process which could be discussed later. The Secretariat requested the Chair to consider the Committee's decision at the 19<sup>th</sup> session, paragraph 8.1, and to seek guidance from the Committee to the Secretariat.

320. The Chair referred to the proposal by the Delegation of the Islamic Republic of Iran, and requested guidance from the Committee to the Secretariat. The CDIP could request the Secretariat to review and compile all contributions from Member States and invite those that had not sent inputs to contribute with their proposals. He asked the Committee for guidance.

321. The Delegation of Brazil supported the suggestion of compiling all of the proposals and receiving further additional proposals from other Member States. It appreciated the inputs from Group B and the Delegations of Mexico and Peru. Those inputs would be assessed separately. It supported many of them. It highlighted Recommendation 7, which was in line with the project proposal it had submitted for the consideration of that session of the CDIP. There were some Recommendations where it might have a difference of opinion, i.e., Recommendation 1. The CDIP should first address the pending Recommendations 5 and 11. As mentioned by the Delegation of Switzerland, the proposal from the African Group would not be useful in relation to Recommendation 1 since it could be carried out in the context of the Committee. There was a conflict between the proposal of the African Group and Recommendation 1, so the Committee had to be careful about how to address that. It proposed accepting the Chair's suggestion for the Secretariat to consolidate the existing proposals and any additional ones.

322. The Delegation of Canada, speaking on behalf of Group B, understood that there were two proposals from the podium. With the caveat that it would need to consult within the Group on that, it stated that it could consider the idea of the compilation provided that it would be on the same terms as those of the original exercise, i.e. include only the adopted recommendations as per the decision of the 20<sup>th</sup> session of the CDIP. It requested clarification from the Secretariat on this point, since the proposal seemed to take a step back in this regard.

323. The Chair confirmed that the proposal would only refer to the adopted recommendations of the Independent Review. He suggested that the Secretariat also provided a new proposal. He stated the CDIP could request the Secretariat to review and compile inputs from Member States for further consideration at the following session and invite those Member States that had done so to contribute with their proposals at the latest by the end of January 2019, to allow the Secretariat to have a new compilation before the 23<sup>rd</sup> session. Additionally, the Secretariat could also come up with a proposal based on Member States' inputs.

324. The Secretariat (Mr. Irfan Baloch) stated that there were two issues: (i) the Secretariat would welcome additional inputs with regard to the modalities and implementation strategies by the end of January 2019. The Secretariat needed guidance from the CDIP as regards modalities and implementation strategies for the adopted recommendations, which should be defined one by one; (ii) regarding "reporting and reviewing process," the Committee could adopt a single approach. In order to assist the Committee and staying neutral, the Secretariat could, once it had received those new inputs by the end of January 2019, come up with implementation strategies and modalities, as well as a reporting and reviewing process, for the Committee's consideration, on the basis of the inputs received from Member States. The Secretariat would try to maintain an extreme level of neutrality and give its professional input to the Committee's work. The alternative approach was that the Committee would guide the Secretariat on the modalities and implementation strategies, as well as a reporting and reviewing process.

325. The Delegation of Canada stated that it would have to revisit those two proposals later. If the CDIP took a decision on any of those two options, it would be on the understanding that the scope of the exercise was as per the original exercise, i.e. that the scope was about adopted recommendations and that should in any event be reflected in the Summary by the Chair.

326. The Chair confirmed that the proposal concerned the adopted recommendations.

327. The Delegation of the Czech Republic thanked the Secretariat for the excellent proposal on that complicated issue. A compilation of documents by the Secretariat could be a way forward. It requested whether the Secretariat believed that all of the inputs were relevant or feasible.

328. The Chair referred to the proposals for the course of action that the Committee might be taking. First, the Secretariat would review and compile all contributors' proposals and interested delegations could also contribute their proposals by the end of January 2019. Second, the Secretariat could additionally come up with its own proposal, on the basis of the inputs of Member States. The Chair postponed the discussions on this issue.

329. The Chair resumed the discussion on Member States inputs on the Way Forward on the Modalities and Implementation Strategies of the Adopted Recommendations of the Independent Review (documents CDIP/22/4 Rev. and CDIP/21/11). He proposed that the Committee decided that first, interested Member States would provide additional inputs to the Secretariat by January 31, 2019, and the inputs should be compiled in a single document for information of the 23<sup>rd</sup> session of the Committee; second, the Secretariat would, using inputs received from Member States, propose for the Committee's consideration the modalities and implementation strategies for the adopted recommendations of the Independent Review, as well as options for the reporting and reviewing process, at the following session of the Committee. The decision was adopted, given that there were no further comments from the floor.

Document under consideration CDIP/22/5 – Updated Costing of Roadmap on Promoting the Usage of the Web Forum Established under the “Project on Intellectual Property and Technology Transfer: Common Challenges – Building Solutions” Using External Platforms

330. The Secretariat (Mr. Andrew Czajkowski) stated that item 4 of the joint proposal of the Delegations of the United States of America, Australia, and Canada on activities related to technology transfer (document CDIP/18/6 Rev.) requested the Secretariat to review options to promote the usage of the web forum established under the Project on Intellectual Property and Technology Transfer: Common Challenges - Building Solutions, as a useful tool to address Member States' questions and issues related to technology transfer. The Committee, at its 21<sup>st</sup> session, had agreed that the Secretariat would consider the proposals made by delegations on the use of existing platforms, particularly WIPO's eTISC platform, and develop an updated roadmap and costing for the 22<sup>nd</sup> session. The revised roadmap and costing were contained document CDIP/22/5. The following possible actions were included in the revised roadmap: carrying out an assessment of the target audience and their requirements, given any existing similar services; developing a content strategy based on that assessment; developing a platform and implementing the content strategy; developing a communications and promotion strategy to identify effective channels to reach segments of the target audience; seeking partnerships that already had established communities related to technology transfer. Those actions remained relevant, even in the case of using WIPO's existing eTISC knowledge-sharing platform, ensuring that the web forum could be promoted effectively as a useful tool to address Member States' questions and issues related to technology transfer. Carrying out an assessment of the target audience and their requirements and developing a content strategy based on that assessment would ensure that the content available through the platform was relevant and engaging to its intended audience. The possible action of establishing technology requirements would not be required, assuming that WIPO's existing eTISC knowledge-sharing platform was used and had been removed from the revised roadmap. Nonetheless, deploying the platform for the web forum was expected to require a certain degree of customization to ensure that the new content could be presented in an effective and user-friendly manner. Developing a communications and promotions strategy and seeking partnerships would ensure that a diverse and active community from all Member States could be attracted to the web forum. The Secretariat proposed that the development of the web forum on the eTISC be implemented in two phases: Phase I, focusing on the recruitment of external experts in the field of digital communications capable of analyzing the current user situation, proposing a content strategy with sample content, and developing a communications and promotions strategy; Phase II, customizing the eTISC knowledge-sharing platform, drafting appropriate and discussion-provoking content, and developing new partnerships and building on established partnerships, as suggested by the experts' assessment.

331. The Delegation of Austria, speaking on behalf of the EU and its member states, welcomed the practical steps for the possible actions set out in the document, finding them result-oriented and reasonable. It suggested to carry out the proposed actions simultaneously whenever possible to save time. After completion of those tasks, the decision of the platform to deploy might be easier to take.

332. The Delegation of Lithuania, speaking on behalf of the CEBS Group, noted that using the existing eTISC platform would reduce costs by 25 per cent. However it would impose constraints due to limited customization options available within the eTISC social media platform. Being in principle positive to the proposal to use eTISC platform, it welcomed further comments whether those constraints would undermine expected operability of the Web Forum, thus making usage of eTISC platform unfeasible and asked whether there were options to tackle the issue of limited customization within the eTISC.

333. The Delegation of Canada, speaking on behalf of Group B, stated that it was pleased to note that the updated costing reflected the suggestions made by Group B at the 21<sup>st</sup> session of the CDIP and proposed using existing platforms which in turn enhanced the web forum value proposition. However, it welcomed clarification as to what the customization of the web platform would entail and whether the Secretariat could provide any rough estimate of the related costs. It looked forward to the discussion of the costed option to use the eTISC platform for the web forum on technology transfer, regarding which Group B countries might wish to make individual comments.

334. The Secretariat (Mr. Andrew Czajkowski) explained that the current eTISC platform was a knowledge and social media-sharing platform, so it was based on a platform that was available and used by TISCs in sharing their experiences and best practices. It had a different use and audience at the moment, so in order to adapt the eTISC platform, it would have to look at other audiences interested in technology transfer. It was not sure about the interest of the audience, who that audience was or what was already available, so all that needed to be taken into consideration. Therefore, it suggested carrying out an assessment of the situation. Having knowledge on the situation, the eTISC could be adapted accordingly. The eTISC was rather for general patent information use and principally for discussions and exchange of experiences on patent searching, not technology transfer. The assessment to be carried out would also give ideas of what type of content the technology transfer audience would be interested in.

335. The Delegation of the United States of America recalled the discussion on the web forum on technical assistance, and stated that it had made a request for the Secretariat to consider the option of using wiki space or WIPO spaces as a platform for such a forum. WIPO spaces already had a technology transfer link or space. Hence, it made the same request for the Secretariat to, before the next session, investigate that previously unknown option and see if it was viable and easier to customize for those purposes.

336. The Secretariat (Mr. Andrew Czajkowski) stated it was developing a new information and resource platform intended for technology innovation support centers, and it was interested at looking at the possibility of integrating such a technology transfer web forum inside that new platform. It proposed the possibility of adding further details and costs with regard to integrating that web forum into the new platform, which would be very effective as far as costs were concerned.

337. The Chair concluded the discussion on document CDIP/22/5. He proposed to include the following decision in the Summary by the Chair: the Committee took note of the information contained in document CDIP/22/5 and requested the Secretariat to provide further details and costs of customizing and integrating the web forum in the existing and newly developed platform

for consideration in the following session. The decision was adopted, given that there were no further comments from the floor.

Document under consideration CDIP/22/7 – List of Indicators to Assess WIPO’s Technology Transfer Services and Activities

338. The Secretariat (Mr. Andrew Czajkowski) stated that item 6 of the joint proposal of the Delegations of the United States of America, Australia, and Canada on activities related to technology transfer contained in Annex 1 of document CDIP/18/6 Rev., requested the Secretariat to undertake a gap analysis of WIPO’s existing technology transfer-related services and activities in respect of the WIPO DA Cluster C Recommendations in order to assist in the consideration and evaluation of any proposals in priority areas going forward. Document CDIP/21/5 provided an analysis of technology transfer-related services and activities carried out by WIPO during the period 2014-2017, with specific reference to the DA Cluster C Recommendations to whose fulfillment they contributed with an indication of the type of service or activity. The document pointed out that no gap analysis was possible due to the fact that no indicators or benchmarks had ever been defined so as to allow an objective gap analysis of how and by how much the activities undertaken by WIPO within specific DA Recommendations had contributed to achieving the often-broad objectives stated in those Recommendations. The Committee had decided at its 21<sup>st</sup> session that interested delegations should submit to the Secretariat a list of indicators to assess the activities contained in the document for consolidation and presentation at the 22<sup>nd</sup> session. The inputs provided by delegations were contained in the annexes to document CDIP/22/7. An objective gap analysis of how and by how much activities undertaken by WIPO had contributed to achieving the objectives stated in Cluster C Recommendations would require indicators but also corresponding targets and possibly baselines for each indicator. The indicators should meet certain criteria, including being specific, measurable, achievable, relevant and time-bound. Gathering data to assess progress over time for each indicator would require potentially significant resources, of which at least some part might be additional to currently-allocated resources.

339. The Delegation of the United States of America, speaking on behalf of the Delegations of the United States of America, Canada and Australia, stated that the objective of item 6 of the joint proposal was to increase awareness of the breadth of activities undertaken by WIPO in the area of technology transfer and to provide a legacy document in order to assist the Committee in the consideration and evaluation of any proposals and priority areas going forward. As such, the intended output of the joint proposal was for the Secretariat to undertake a stock-taking exercise of the existing technology transfer-related services and activities undertaken by WIPO during the period 2014-2017. The proponents of the joint proposal considered that stock-taking exercise as successfully completed by the Secretariat’s production of document CDIP/21/5, which provided a comprehensive list of WIPO’s technology transfer-related services and activities. As evidenced by the discussions at the 21<sup>st</sup> session of the CDIP, that document had enabled Member States to better understand the important work of WIPO in that area. Document CDIP/22/7 also contributed to the satisfactory completion of that stock-taking exercise by highlighting some of the areas of interest of Member States in the area of technology transfer. It thanked those Member States that had provided input to that end. It was satisfied with the work done by the Secretariat and did not see a need to continue discussions on a proposed list of indicators. Its concern was that the proposed list of indicators would be extremely resource-intensive for the Secretariat and Member States to develop, as well as time intensive for the CDIP to reach agreement on and implement. It had only recently been informed of the steps that would further need to be completed following the definition of “indicators.” Such steps would include, for instance, the definition of “specific targets” as well as definitions of “data points and collection methods;” however, further work towards development of formal indicators, targets and data points would actually detract from the original intent, which was simply to generate a broad overview and “snapshot” in time of technology transfer-related services and activities conducted by WIPO. That had been achieved with the production of

documents CDIP/21/5 and CDIP/22/7. It considered that item of the joint proposal as completed and addressed.

340. The Delegation of Lithuania, speaking on behalf of the CEBS Group, considered the proposals by the Group B and the Delegations of Ecuador and South Africa interesting and noted that the proposal by Group B aimed to satisfy “SMART” requirements. The issues contained in item 6 of the joint proposal of the Delegations of the United States of America, Australia and Canada were sufficiently addressed.

341. The Delegation of Canada, speaking on behalf of Group B, stated that it had taken note of the position of the Delegations of the United States of America, Australia, and Canada to the effect that document CDIP/21/5 and CDIP/22/7 had satisfied the intent behind their joint proposal. Those documents constituted the useful stock-taking exercise in relation to WIPO’s services and activities in the area of technology transfer and would substantively assist in the concentration and evaluation of any proposals and priority areas going forward. The Committee could take note of the information contained in document CDIP/22/7 and agree that item 6 of the joint proposal as already addressed.

342. The Delegation of Austria, speaking on behalf of the EU and its member states, welcomed all the work that allowed assessing WIPO’s technology transfer services and activities. It aligned itself with the statement by the Delegation of Canada on behalf of Group B and supported the ideas therein.

343. The Delegation of Iran (Islamic Republic of) stated that the submissions from Member States on indicators to assess WIPO’s activities on technology transfer were a positive development, which it welcomed. They would assist the Secretariat in preparing and presenting a gap analysis to provide guidance for future work on technology transfer. Some proposed indicators were very general while others were more specific. Among them, it preferred the proposed indicator by the Delegation of South Africa. It sought clarification as to whether the intention behind inviting Member States to submit indicators was to provide them for the Secretariat to be able to conduct a gap analysis. Some delegations had submitted that no further action was needed after the Secretariat received the indicators. It did not understand what the added value was of receiving input from Member States when no action followed. It expected that, based on the indicators, a gap analysis would be done by the Secretariat on technology transfer. It sought clarification from those delegations and the Secretariat on that matter.

344. The Secretariat (Mr. Andrew Czajkowski) highlighted that there were two approaches. The first approach was that the content of the two documents, including the indicators and the analysis of activities and resources carried out by WIPO, already gave sufficient and fair information. It was up to the Member States and the CDIP to decide whether to move forward with a second approach, which would mean a lot more work and a lot more resources. It would mean deciding on the indicators, entailing the possibility of having a working group to review the proposed indicators, and then suggesting a set of indicators for agreement by the CDIP. It also meant deciding on baselines and targets for every single indicator. It then meant collecting the data for every single indicator and, during a certain period of time, to show developments. That was moving into another dimension of work and resources that would be required.

345. The Delegation of Canada, speaking in its national capacity, noted that although item 6 of the joint proposal by the Delegations of the United States of America, Australia and Canada did use the term “gap analysis,” it had been made clear from the Secretariat’s remarks that the formal understanding of the term “gap analysis,” which involved the development not only of indicators but of targets and data points, did not reflect the intention of the joint proposal. The intention, as noted by the Delegation of the United States of America, was instead for the Secretariat to undertake a stock-taking exercise of WIPO’s current activities in the area of

technology transfer. It understood the Secretariat's concerns regarding further work that would go into the formal development of those indicators and targets and the other dimension of resources that would be involved in that process. The work done so far was satisfactory in order to provide a helpful stock-taking of the activities being undertaken.

346. The Chair concluded the discussions on document CDIP/22/7. He proposed to include the following decision in the Summary by the Chair: the Committee took note of the information contained in document CDIP/22/7 and agreed that the objective of the joint proposal had been addressed. The decision was adopted, given that there were no further comments from the floor.

## **AGENDA ITEM 6: MONITOR, ASSESS, DISCUSS AND REPORT ON THE IMPLEMENTATION OF ALL DEVELOPMENT AGENDA RECOMMENDATIONS (resumed)**

### Document under consideration CDIP/22/13 – Contribution of the Relevant WIPO Bodies to the Implementation of the Respective DA Recommendations

347. The Secretariat (Mr. Irfan Baloch) recalled that the Coordination Mechanisms and Monitoring, Assessing and Reporting Modalities adopted by the CDIP and subsequently approved by the GA in 2010 called for the relevant WIPO bodies to report to the GA about their contribution to the implementation of DA Recommendations. As a matter of practice, each committee, once it had discussed its contribution to the DA implementation, includes those statements in its report to the GA (WO/GA/50/8). The GA, after consideration, forwards that report to the CDIP for information (CDIP/22/13). During the previous year, only the IGC discussed the matter of the DA. Hence, the report consisted of the IGC's input to the process.

348. The Delegation of Morocco, speaking on behalf of the African Group, recalled the 2010 GA decision to instruct the relevant WIPO Bodies to include in their annual reports to the GA a description of their contribution to the implementation of the respective DA Recommendations. It noted that a contribution had been received from the IGC to the implementation of the respective DA Recommendations. A contribution from the other relevant WIPO bodies was notably absent. A summary of the contributions received from other WIPO bodies since 2014, is as follows: in 2014, a report had been received from the IGC, SCT, SCCR and SCP; in 2016, contributions were received from the IGC and the SCCR; in 2017 and 2018, a report was received from the IGC while no reports were received from the standing committees. For an organization in which the DA Recommendations had been mainstreamed, it was concerning that only the IGC deemed it relevant to report to the CDIP on development-related matters. That implied that the other standing committees were no longer contributing to the implementation of the DA Recommendations. It requested the Secretariat to contact the secretariats of the other committees to determine why no such reports had been received and report back to the CDIP at its next meeting.

349. The Delegation of Lithuania, speaking on behalf of the CEBS Group, noted the contribution of the IGC. That form of reporting satisfied the interest of having the CDIP informed about contributions of the relevant WIPO Bodies to the implementation of the respective DA Recommendations.

350. The Delegation of Austria, speaking on behalf of the EU and its member states, took note of the report on the contribution of the IGC to the implementation of the respective DA Recommendations. The report had been already presented to the GA. Recommendation 18 urged the IGC to accelerate the process for the protection of genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs). However, the work in the IGC proved to be very difficult. The IGC had worked hard to overcome existing differences of opinions between delegations. The Delegation regretted that up until then it had not been

possible to overcome those differences and to bridge the gap between the different positions. While the CDIP was not the appropriate forum for dealing substantially with GRs, TK, and TCEs, the Delegation of the EU and its member states nevertheless expressed hope that the IGC might be able to make progress in the future.

351. The Delegation of Canada, speaking on behalf of Group B, considered that that document provided useful information as to how the relevant WIPO Bodies, in that case the IGC, contributed to the implementation of the DA Recommendations. Further, the format of the document in question was appropriate and that method of providing reports to the CDIP should be maintained.

352. The Delegation of South Africa aligned itself with the statement delivered by the Delegation of Morocco on behalf of the African Group. The Coordination Mechanisms approved by the GA instructed all relevant WIPO Bodies to report to the CDIP on a description of their contribution to the implementation of their respective DA Recommendations. Only the IGC had submitted a contribution. A contribution from other relevant WIPO Bodies was notably absent, despite the coordination mechanism instructing such annual reports. It was concerning that in 2014, five standing committees had reported their contribution to their respective DA Recommendations to the CDIP, while by 2018 only one, the IGC, had reported to the CDIP. The Delegation requested the Secretariat to establish why no annual reports had been received from the standing committees providing a description of their contribution to the implementation of their respective DA Recommendations.

353. The Delegation of Iran (Islamic Republic of) stated that all WIPO committees should submit detailed reports on the implementation of their respective DA Recommendations, and the reports should go beyond compiling the statement of delegations on the subject. The lack of any contribution from WIPO bodies other than the IGC to the implementation of DA Recommendations was a regrettable fact, as stated by the Delegations of Morocco on behalf of the African Group and of South Africa. One needed to consider why most of the WIPO committees were not responding to that part of their mandate and could not provide a substantive report on their contribution to the implementation of the DA Recommendations.

354. The Chair proposed two possible approaches to conclude the discussion on the document: (1) to express appreciation to the Secretariat for the report presented; (2) to request to the Secretariat to consult the secretariats of the standing committees on their contribution to the implementation of the respective DA Recommendations and to present it to the next CDIP session.

355. The Delegation of the United States of America was not in favor of that request. The CDIP had extensively discussed over many years that it was not in a position to dictate other committees what to do. The CDIP was just one of the WIPO committees so it could not tell other committees or other Bodies in WIPO what to do. Other committees had to decide for themselves whether or not they wanted to provide regular reports to the CDIP.

356. The Delegation of Switzerland supported the intervention by the Delegation of the United States of America.

357. The Delegation of Austria, speaking on behalf of the EU and its member states, aligned itself with the statements delivered by the Delegations of the United States of America and Switzerland.

358. The Chair said that since there was no consensus on the request to the Secretariat, he could suggest that the Committee took note of the information contained in document CDIP/22/13. The request made by the Delegation of Morocco, on behalf of the African Group, would be reflected in the report of the meeting.

359. The Delegation of Morocco, speaking on behalf of the African Group, asked whether that decision could be postponed until Friday afternoon to allow consultations in the Group.

360. The Chair suspended the discussion on that document.

## **AGENDA ITEM 7: CONSIDERATION OF WORK PROGRAM FOR IMPLEMENTATION OF ADOPTED RECOMMENDATIONS (resumed)**

### Documents under consideration CDIP/21/8 Rev. and CDIP/22/17 – Issues to be addressed under the agenda item “IP and Development”

361. The Secretariat (Mr. Irfan Baloch) recalled that, with the approval of the General Assembly, a new agenda item on “IP and Development” had been introduced on the agenda of the CDIP. Member States had been invited to make suggestions and proposals on the issues to be addressed under that agenda item. The Secretariat had received during the 21<sup>st</sup> session of the CDIP a number of proposals, compiled in document CDIP/21/8 Rev. On the basis of discussions on that document, it had been decided to hold during the 22<sup>nd</sup> session of the CDIP a discussion on Women and IP. It had also been decided that the 23<sup>rd</sup> session of the CDIP would deal with the subject of IP and Development in the Digital Environment. Document CDIP/21/8 Rev. stayed open. The Chair had mentioned that any proposal in that document and any new proposals that might come would remain in the pipeline for future consideration. The Secretariat, just before the meeting of the 22<sup>nd</sup> session of the CDIP, had received a joint proposal from the Delegations of Indonesia and the UAE (document CDIP/22/17). The discussion thus required a decision on the topic that the Committee would discuss during the 24<sup>th</sup> session of the CDIP.

362. The Chair said that the issue to be addressed under the agenda item would always remain open for future submission by any delegation that wished to do so. The issue to be discussed during the 24<sup>th</sup> session of the CDIP needed to be decided.

363. The Delegation of Indonesia, speaking in its national capacity, recalled that according to the decision taken at the 21<sup>st</sup> session of the CDIP under agenda item 9 “IP and Development” other future topics to be discussed should be based on those proposed in document CDIP/21/8 Rev. or on any proposal from Member States on the basis of the timing of submissions. Recognizing that IP played an important role in promoting innovation and creativity and contributed to long-term economic growth and sustainable development, the Delegations of Indonesia and of the UAE had proposed the topic of “Intellectual Property and the Creative Economy” to be discussed under the agenda item “IP and Development” at a CDIP session (document CDIP/22/17). The creative industries were among the most dynamic sectors in the world economy, and were regarded as an emerging high-growth area. Creative industries created jobs, economic contribution, value addition, and helped countries establish a stronger national identity. Furthermore, creative economy sectors leveraged knowledge and information which in turn triggered innovation, created social and economic wealth for society and contributed to the achievement of the SDGs. In contrast to other economic sectors, which often involved a variety of entry barriers, creative industries could provide equal opportunities and a level playing field for all peoples of all nations. That had become more promising in the digital age with the internet and other technologies, enabling talents from all around the world to work together. The creative economy grew and thrived as a liaison among culture, economy and technology. Its ecosystem consisted of many different industries, sectors and stakeholders, covering a wide spectrum of economic sectors from traditional, cultural and craft industries that were dominated by MSMEs to new businesses in the digital era with specific IP needs that combined different types of IP rights, including copyright, patents, designs and trademarks. Based on those reasons, the creative economy had become a sector that the government of

Indonesia had been focusing its attention on. Around half of Indonesia's population was below 30 years of age. With strong entrepreneurial and do-it-yourself cultures, young and tech-savvy Indonesians were starting to unleash the creative potential of the country. Discussions surrounding the creative economy had become ubiquitous, leading to the establishment of Indonesia's creative economy agency or BEKRAF in 2015. That government agency coordinated national policymaking and strategies to support the creation and marketing of national, cultural goods and services, both domestically and abroad. In Indonesia, creative industries contributed to 7.4 per cent of its GDP in 2017 and absorbed more than 13 million workers. That focus on creative economy development was not only an Indonesian experience. In the era of globalization and advanced technology, the creative industry had become a game changer. As one of the most dynamic sectors, the creative economy contributed significantly to economic growth in many countries. A global platform for actors and stakeholders in the creative economy industry was essential for the development of sectors initiated by the Ministry of Foreign Affairs and the Indonesian Agency for Creative Economy. Indonesia had hosted the first World Conference on the Creative Economy (WCCE) on November 6-8, 2018 in Bali, Indonesia. The conference had gathered all related stakeholders of the creative economy, involving collaboration of the creative economies, Penta Helix, i.e., academics, businesses, communities, government and media in an effort to connect multidimensional elements and creative economy stakeholders. The World Conference on Creative Economy was the first international-level conference on the creative economy initiated by Indonesia. The conference had been attended by representatives from over 30 countries and had more than 1500 participants. The Delegation presented a video introducing the World Conference on Creative Economy. On the occasion of the conference, the Delegation of the UAE had proposed to host the next WCCE to be held in 2020 in Dubai. Hence, the Delegations of Indonesia and of the UAE were cosponsors of the proposal contained in document CDIP/22/17. IP played a key role in the development of a creative economy, as reflected in the proposal. It was timely to take up and discuss the creative economy's opportunities and challenges, in particular to promote the role of IP in the development of the creative economy. It looked forward to further discussions towards a positive course with regard to a proposal on IP and the creative economy as a possible future topic under the agenda item of "IP and Development" in the CDIP.

364. The Delegation of the UAE supported its joint proposal presented by the Delegation of Indonesia (document CDIP/22/17). It was glad to host the second edition of the WCCE Conference. The first edition, held in Indonesia, was highly commended. IP was related to the creativity of the mind such as inventions, literary and artistic works, as well as signs used in commerce. The creators of those works could be protected and could control the use of their IP through the national and international protection systems, with the understanding that IP always had to balance the interests of creators with society's needs. In the previous few years, the creative economy had become an important component of global economic growth and development. The proposal was in line with the UAE's Centennial 2071 Vision. His Highness, Mohammed bin Rashid Al Maktoum, Vice President and Prime Minister of the UAE and ruler of Dubai, had announced in 2018 the launch of the UAE Cultural Development Fund aiming to ensure the participation of all segments of the UAE society in the implementation of cultural development plans and encouraging the role of the private sector in the process of cultural and knowledge development. Through the interests and commitment of the UAE in creative activities including museums, cultural events, art exhibitions and cinema festivals, it had adopted creative industries in several sectors and inaugurated specialized cities with organizational, legislative and investment characteristics, such as the Dubai Media City in 2001 and the twofour54 media-free zone in 2008. Later on, keen to resume the development of the creative 'industries' sector to add value and spur high economic growth, the UAE had established the Dubai design district in 2013, which also added to the reasons for putting Dubai on the map of UNESCO's Creative Cities Network. In addition, it had organized the annual Dubai International Film Festival and in 2017, it had opened the Louvre Museum in Abu Dhabi. The Future Museum in Dubai would open its doors shortly. Discussion and exchange of perspectives on the topic of the creative economy and IP gave a better understanding on the

role and relevance of the IP system as a means of harnessing the sector's economic potential and its sustained growth. The discussions and exchange of perspectives could address a wide variety of questions, *inter alia*, how innovation developed in the creative economy, the IP policy issues relevant to support creative economic sectors, the opportunities and challenges of creative economy sectors in the digital age, how could IP help finance, commercialize, and sustain the creative economy sectors, and how could IP policy ensure and protect fair and balanced sharing and opportunities of the various actors involved. The list of questions in the proposal was for information purposes only and was not to limit the discussion. Creative industries had a positive impact on women. It looked forward to listening to the comments of CDIP members and the Chair.

365. The Chair stated that any proposed topic would be added to the list of topics submitted by Member States for future sessions. Any delegation could come up with any topic. He proposed of the following wording for the decision: the Committee took note of the joint submission by the Delegations of Indonesia and the UAE on the topic of Intellectual Property and the Creative Economy to be included in the list of topics for future consideration. He also requested delegations to express their expectations *vis-a-vis* the Secretariat in terms of preparations for the discussion on "IP and Development in the Digital Environment" at the 23<sup>rd</sup> session of the CDIP. For the topic of the 22<sup>nd</sup> session, Women and IP, at the request of Member States, the Secretariat would make a short presentation on the issue. The Chair stated that the delegations could make a similar request to the Secretariat in relation to the 23<sup>rd</sup> session. It was agreed that the Secretariat would make a short presentation on the topic "IP and Development on the Digital Environment" at the 23<sup>rd</sup> session of the CDIP. The Chair opened the discussion on the topic to be discussed at the 24<sup>th</sup> session of the CDIP.

366. The Delegation of Canada, speaking on behalf of Group B, stated that Member States' contributions provided important inputs to enable the CDIP to hold concrete and practical discussions under that item. The compilation of Member States' inputs showed some overlap between the proposals, and it welcomed that common interest in discussing the same issues and to facilitate and advance the CDIP's work. It proposed to hold a sharing session on the topic "MSMEs, IP and Innovation" for discussion at the next available session of the CDIP. Moreover, the topic of "IP and Development in the Digital Environment" would provide an excellent opportunity for Member States to exchange views and share experiences on initiatives undertaken to address the impact of new technologies on IP. With respect to the topics already agreed, it noted that the topic of Women and IP was particularly important, since the data clearly showed that women participated less than men in the IP system. Taking into account the workload necessary for all delegations to prepare properly for a meaningful and substantive discussion, it would be helpful to choose one topic per CDIP session. The Secretariat should provide, when appropriate, a short presentation of the relevant activities undertaken for the topics under discussion. Group B looked forward to constructively engaging in the discussions on issues to be addressed under the agenda item on "IP and Development".

367. The Delegation of Lithuania, speaking on behalf of the CEBS Group, agreed with the Chair's proposal to include the latest submission by Indonesia and the UAE (document CDIP/22/17) into the list of proposed topics. The topic proposed by the African Group on "How to Benefit from the IP System" would be better covered under that agenda item instead of in the format of a conference. It looked forward, with high interest, to the discussion on the first selected topic on Women and IP, which would be held the following day. As the topic for the 23<sup>rd</sup> session of the CDIP was already decided, it looked forward to constructive discussions on a topic to be addressed at the 24<sup>th</sup> session of the CDIP. It had sympathy with Group B's proposal for the topic "MSMEs, IP and Innovation", but it was also open to consider other proposals, especially if they were relevant to MSMEs.

368. The Delegation of Austria, speaking on behalf of the EU and its member states, stated that the proposals included interesting and important topics for discussion and that a few of

them suggested an initial exchange of views on IP, innovation and development. Such discussions would help shape the CDIP's future work under that agenda item and define areas where it wished to have more substantive impact. For a more detailed analysis of the document, it aligned itself to the statements made by the Delegations of Canada on behalf of Group B and of Lithuania on behalf of the CEBS Group.

369. The Delegation of China stated that, at the 21<sup>st</sup> session of the CDIP, progress had been made in identifying two specific topics for discussion: Women and IP and IP and Development in the Digital Environment. It added that it would take part in the discussions proactively and constructively. It thanked the Delegations of Canada on behalf of Group B, Mexico, Brazil, and the Russian Federation and of Indonesia and the UAE for their proposals. The valuable contents contained in those proposals covered many important aspects in IP and development, and many of those issues were of concern to Member States. Discussing those issues would help Member States exchange experiences and best practices and find a solution to resolve problems and promote development. It suggested that the Secretariat prepared a list of topics to be discussed under the agenda item "IP and Development" for Member States' consideration.

370. The Delegation of the Russian Federation expressed that it was prepared to participate constructively in the discussion of the topics that would be examined at that session and subsequent sessions of the Committee. It thanked the Delegations of Indonesia and the UAE for a very interesting proposal, which it would study further. As regards the topic that could be examined at the 24<sup>th</sup> session of the CDIP, it would be interesting to discuss the effectiveness of the use of IP mechanisms by SMEs. At the same time, it was open to the discussion of any other topics that might arise.

371. The Delegation of Japan aligned itself with the statement made by the Delegation of Canada on behalf of Group B. It had various recent experiences to share regarding the topic proposed by Group B, "MSMEs, IP and Innovation". The Japan Patent Office (JPO) had created a booklet entitled "Intellectual Property Strategies for Startups" that included case studies on IP strategies by venture companies. The JPO had also prepared a report named "Intellectual Property Open Innovation," which provided solutions to open innovation between venture companies and large enterprises. It looked forward to discussing that topic at a future session.

372. The Chair invited delegations to comment on to the proposed topic of discussion for the 24<sup>th</sup> session of the CDIP made by the Delegation of Canada on behalf of Group B on MSMEs, IP and Innovation. He stated that the Secretariat would keep and update an open list of topics submitted by Member States, as per the request of the Delegation of China.

373. The Delegation of Brazil stated that, at the 21<sup>st</sup> session of the CDIP, Member States had reached a consensus on the first two topics for the agenda item "IP and Development", which would help fulfill the mandate of the CDIP. The discussions under that standing item would facilitate the implementation of the third pillar of the DA since it would not only provide greater transparency to the discussions in the CDIP but would also help initiate a more focused, balanced, and result-oriented debate in that field, to the benefit of all Member States. The work program of the agenda item "IP and Development" had to be underpinned by two complementary intellectual perspectives on IP and development, which were important and should guide the CDIP's work. One was the use of IP for development focusing on the role of IP rights for economic development, and the other was development-oriented IP that shed light on the use of flexibilities, limitations, and exceptions in IP rules so as to ensure that IP was supportive of public policy objectives. The proposals contained in document CDIP/21/8 Rev. reflected, to a great extent, both perspectives. The proposal tabled by the Delegations of Indonesia and the UAE (document CDIP/22/17) was fully in line with its interests regarding the discussions under that agenda item. The creative economy was an important liaison among cultural economy and technology and played an important role in strengthening the countries'

national identities. It supported that proposal. At the 21<sup>st</sup> session of the CDIP, it had tabled a proposal with five items. One of them would be discussed in the following session. It was based not only on a suggestion by the Delegation of Brazil but also by the Delegations of the Russian Federation and Group B. Another item contained in its proposal had also started to be implemented at WIPO: the WIPO jurisprudence, in relation to case law from WIPO members. That would help establish a coherent jurisprudence, helping to enhance predictability, which as a result, could increase the amount spent in R&D and foreign direct investments. The pilot countries were Brazil, Mexico, Chile, Costa Rica, Colombia and Spain. Brazil had submitted 78 case law decisions and was the first country to do so. One of the items contained in its proposal referred to strategies for making trademarks more accessible for SMEs. The Delegations of Russia, Canada on behalf of Group B, and Japan had all mentioned SMEs, so the CDIP could work on that topic, SMEs and innovation, and link it to trademarks. It could also focus on SMEs and the proposal on the creative economy. There was a consensus on the topic of “SMEs and Innovation,” so the CDIP could also discuss trademarks and the creative economy.

374. The Delegation of Morocco, speaking on behalf of the African Group, requested a list of the topics to be addressed to decide on the topic to be discussed at the 24<sup>th</sup> session of the CDIP. All the topics were important, regardless of the timing of the submission. Upon receiving the list, it would examine those topics that might be the object of discussion at the 24<sup>th</sup> session of the CDIP.

375. The Delegation of Pakistan supported the joint proposal by the Delegations of the UAE and Indonesia. It also saw merit in the proposal proposed by the Delegation of Canada on behalf of Group B on MSMEs, which was another very important topic, especially for developing countries. It proposed that instead of discussing only one topic at each CDIP session, two topics could be discussed from the 23<sup>rd</sup> session onwards so that more topics would be covered. That would also minimize the possibility of competition among the topics, and the CDIP would benefit from more discussions.

376. The Chair stated that the proposal by the Delegation of Pakistan to discuss two topics per session was on the table. In response to the intervention by the Delegation of Morocco on behalf of the African Group, he explained that there was one proposal submitted by the Delegations of Indonesia and the UAE and one by the Delegation of Canada on behalf of Group B on MSMEs and Innovation. He further asked whether there was an agreement to have the topic of MSMEs and Innovation at the 24<sup>th</sup> session of the CDIP. Any other proposal could also be submitted afterwards.

377. The Delegation of the Czech Republic suggested to revisit that question the following day in view of the Delegation of Pakistan’s interesting proposal.

378. The Chair suspended the discussion on the proposal by the Delegation of Pakistan. The Chair further closed the discussion on the submissions of issues to be addressed under the agenda item “IP and Development”. The Committee decided to take note of the joint submission by the Delegations of Indonesia and the UAE on the topic “IP and the Creative Economy” to be included in the list of topics to be addressed under the agenda item “IP and Development” and requested the Secretariat to provide a roster of topics proposed by Member States, given that there were no further comments from the floor. He further stated that the discussion would be opened again in case of agreement on the topic to be discussed at the 24<sup>th</sup> session of the CDIP.

Document under consideration CDIP/22/14 – Revised Project Proposal on Intellectual Property and Gastronomic Tourism in Peru and other Developing Countries: Promoting the Development of Gastronomic Tourism through IP (continued)

379. The Chair resumed the discussion on document CDIP/22/14. He stated that the Secretariat had prepared a budget for the project proposal, as indicated in document CDIP/22/14 Rev. He opened the floor for comments. The project was approved, given that there were no further comments from the floor.

380. The Delegation of Peru expressed its appreciation for the support of the Committee in the adoption of the project.

Document under consideration CDIP/22/15 – Proposal for a Pilot Project on Copyright and the Distribution of Content in the Digital Environment Submitted by Brazil (continued)

381. The Chair resumed the discussion on document CDIP/22/15.

382. The Delegation of Brazil stated that it had circulated a revised version of the project proposal incorporating some of the suggestions made by delegations. The Secretariat had also provided a revised budget and had made a significant effort to maximize benefits and reduce costs. The original proposal was for 490,000 Swiss francs for four countries, and the new proposal was, for six countries, 513,500 Swiss francs. There had been a great amount of effort not to increase significantly the budget. It had also incorporated the names of the pilot countries, following the suggestion by the Delegation of the UK. It stated that the project had no normative exercise. It would be limited to the current issues in the field of copyright and related rights, so there was no overlap whatsoever with the activities undertaken by the SCCR.

383. The Delegation of the United States of America stated that the revised proposal was not available at the document station. It needed to review the document before it could make any further decisions.

384. The Delegation of Brazil informed that the revised proposal had been sent to all Regional Coordinators and to some delegations informally.

385. The Chair suggested that the Delegation of Brazil share the revised proposal with the Secretariat, which would assist in the distribution. He suspended the discussion until later in the morning to allow time for the Delegation of Brazil to consult with the various delegations.

386. The Delegation of Morocco, speaking on behalf of the African Group, stated that the group needed more time to reflect.

387. The Delegation of Canada, speaking on behalf of Group B, confirmed that it had indeed received the revised proposal by the Delegation of Brazil. However, it had only circulated the proposal that morning. It invited Group B members to review the document.

388. The Delegation of Lithuania, speaking on behalf of the CEBS Group, informed that it was in the same situation as Group B. It invited the CEBS Group members to review the proposal. It stated that it would be open to discuss it at a later stage during the day.

389. The Delegation of Indonesia, speaking on behalf of the APG, was in line with the Delegations of Canada on behalf of Group B and of Lithuania on behalf of the CEBS Group. However, it had not received any email from the Delegation of Brazil with regard to the revised proposal.

390. The Delegation of El Salvador stated that it would be sending it to the Delegation of Indonesia to avoid any delays.

391. The Chair postponed the discussion on document CDIP/22/15.

Documents under consideration CDIP/21/8 Rev. and CDIP/22/17 – Issues to be addressed under the agenda item “IP and Development” (continued)

392. The Chair resumed the discussion on documents CDIP/21/8 Rev. and CDIP/22/17. He stated that the topic to be addressed under the agenda item “IP and Development” at the 24<sup>th</sup> session of the CDIP would be “SMEs and Innovation.” He added that some delegations had expressed their wish to add “including trademarks” to the title of the topic. He opened the floor for comments by delegations.

393. The Delegation of Canada requested to revisit that issue later, since consultations were still ongoing.

**AGENDA ITEM 6: MONITOR, ASSESS, DISCUSS AND REPORT ON THE IMPLEMENTATION OF ALL DEVELOPMENT AGENDA RECOMMENDATIONS (resumed)**

Document under consideration CDIP/22/13 – Contribution of the Relevant WIPO Bodies to the Implementation of the Respective DA Recommendations (continued)

394. The Chair came back to the discussion on document CDIP/22/13. He recalled that some delegations wished to request the Secretariat to consult with the secretariats of other standing committees to question why they were not sending their contributions, while other delegations wished to only take note of the document. He opened the floor for comments

395. The Delegation of Morocco, speaking on behalf of the African Group, stated that it needed more time to discuss the issue. It asked to defer the discussion.

396. The Chair suspended the discussion on this issue.

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

Document under consideration CDIP/22/INF/2 – Summary of the Study on Understanding the Use of Industrial Design in Southeast Asian Countries – The Case of Indonesia, the Philippines and Thailand

397. The Secretariat (Mr. Carsten Fink) introduced the Summary of the Study on Understanding the Use of Industrial Design in Southeast Asian Countries – the Case of Indonesia, the Philippines and Thailand (document CDIP/22/INF/2). It acknowledged Ms. Maryam Zehtabchi and Ms. Intan Hamdan-Livramento who were part of the research team that had generated the study. The study looked at industrial design use. It was clear from existing patterns of industrial design use that certain developing economies showed significant high numbers of industrial design applications, in particular in Southeast Asia. However, there was not much insight available on what was behind those applications, on how companies and users of the industrial design system benefited from the system, or on how design innovation contributed to business success. The study was ambitious. An original survey of industrial design applicants had been conducted. The survey was wide-ranging and tried not only to gain insights into the process of design innovation, but also to better understand what motivated design innovators to seek that form of IP protection, how they benefited from the industrial

designs registered, and the challenges that industrial design applicants faced. The project had been carried out in three countries: Thailand, Indonesia, and the Philippines. The Secretariat had benefited from the excellent cooperation of the IP offices in those countries, namely the Indonesian Directorate General of Intellectual Property, the Intellectual Property Office of the Philippines, and the Thai Department of Intellectual Property. It thanked those offices for their collaboration in the course of implementing the project. It had also worked with think tanks in those countries to carry out the survey: University of Asia and the Pacific in the Philippines, Thai Development Research Center in Thailand, and Center for Strategic and International Studies in Indonesia. The first step of the project was to design the survey form. A lot of time was spent doing so. The form was based on a number of patent inventor surveys conducted in the United States of America, EU, and Japan, but had been adapted to the different subject matter at hand and to the fact that the survey population were applicants and not inventors. Yet, some of the methodological concepts were borrowed from prior similar survey study work in the area of patents. The survey was rolled out in the three countries, and it was not an easy process. Responses to those types of surveys were voluntary. The Secretariat had worked with email invitations to respond to the survey, with moderate success. It had followed up with telephone calls and regular mail. In the end, and especially given the amount of time and resources spent, the response rate was quite satisfactory. Overall, 268 industrial design applicants in the three countries had submitted survey questionnaires. Those 268 applicants accounted for 512 industrial design applications in total. The survey was divided into two parts. The first part focused on the characteristics of the design applicants, and the second focused on up to four specific industrial designs that those applicants had filed. The idea was to get the particular characteristics of industrial designs and to find out who were the companies and individuals behind those industrial design filings. The full studies were available on WIPO's website, on the Development studies page of the Economics and Statistics Division. It was a long survey, with a high number of findings. It encouraged members to have a look at the document to get a sense of how wide-ranging the survey was. Most industrial design users were private companies that were locally incorporated, really small firms that accounted for most of the users, followed by medium-sized firms and large firms. There was a pattern in the case of many small firms that the company owners, who were sometimes the designers themselves, often applied for industrial designs as an individual. There were some interesting insights as to the design innovation process. For example, the survey had asked about the inspirations for new designs, and customer feedback emerged as the most important one. Within companies, there were two main origins of design innovation: one origin was the department with a mandate to conduct research and development and design innovation; the second origin was the senior management and the company owners. Beyond those two principal origins, in medium-sized firms and larger firms, sales and marketing departments were the source of ideas for a considerable number of the designs for which survey responses had been received. That confirmed that customer feedback and the direct interaction with consumers was an important source of inspiration for industrial designs. One of the central questions asked in the survey was about the value of industrial designs. As it was usually difficult, if not impossible, to value IP simply because of the high uncertainty that came with new inventions, those types of surveys gave a window into the value of IP because they asked the owners of IP, after the IP had been commercialized, how they would value their industrial design. To do so, the approach closely followed the established approach of the inventor surveys for patents. Companies were asked a hypothetical question: "If you had all the information about the success of the industrial design that you have today, for how much would you have been willing to sell your industrial design at the outset?" That question implicitly got at the value of the industrial design. The median value of the industrial designs surveyed was between 30,000 and 100,000 US dollars. If one compared those value ranges to the inventor surveys done in the case of patents, those figures were higher, which was broadly in line with expectations, given that those countries had lower GDP per capita and were at a lower state of development. Industrial design innovation was not as powerful as technological innovation, which often had a much larger market. Regarding the value of industrial designs, it was able to draw a distribution of industrial design values. Most of the industrial designs had a value around the medium range, some higher, some lower, and a

few industrial designs were really valuable. Essentially, there were relatively few industrial designs that accounted for high value. If one compared, though, the distribution found for industrial designs to the distribution that the prior literature had found for patents, the right skew was less pronounced. Design innovation was a less risky process than technological innovation. The uncertainty existing at the outset, once the innovation process had started, was relatively small compared to technological inventions that led to patents. That was a fairly intuitive result. In relatively higher rates of commercialization, the majority of industrial designs eventually got commercialized. There were various ways of looking at that data, but that confirmed that design innovation compared to technological innovation was a less risky process. It had also asked industrial design applicants to what extent they felt that their design had been imitated in the marketplace. One-fifth of survey respondents indicated that they had perceived imitation. The perception of imitation was not necessarily the same as real infringement of an industrial design right. The survey also asked industrial design holders about the financial loss that they perceived as a result of imitation of their designs; they generally indicated that the financial loss was quite high. It asked to what extent those industrial design applicants that felt that their design had been imitated and whether they had pursued that imitation through legal means. In some cases, they had done so with mixed success. High legal enforcement costs were a discouragement for rights enforcement. Most industrial design applications covered by the survey were filed without relying on external agents, and applicants faced the challenge of navigating through a long and difficult-to-understand process. One would have expected that the majority of industrial design users would have gone through external agents that were highly familiar with the application process, but often those firms were quite resource constrained, and often it was the company owner that was the designer himself/herself who was handling the industrial design application process. Those surveys were highly resource intensive; they were not only expensive to run, but they also required a lot of follow-up and patience in trying to convince the target population to respond. At the same time, it was worth the effort because one could get insights about socio-economic phenomena, in that case, industrial design use, for which it was otherwise really difficult to get insights, because there were no similar data available through other data sources. As regards policy implications, the survey responses revealed that design innovators were using industrial designs as a means of recovering their returns on investments in creating industrial designs. Design innovators faced a real risk of imitation. Overall, the industrial design system played a supporting role in stimulating that form of innovation. That was an interesting finding for the middle-income countries surveyed. Design innovation was unlike patents, it was a form of innovation which mainly relied on creativity. It was not as capital-intensive as technological innovation. One did not need to be at the cutting edge of technology to come out with innovative designs. The industrial design system seemed to play a supporting role for the design innovators in the three ASEAN countries concerned. Moreover, about 20 per cent of the design applicants surveyed engaged in exporting, a relatively high number. Looking at the studies in the field of international trade that showed the percentage of firms engaged in trade, it was a very low percentage, usually less than 5 per cent of all the firms in the economy. Industrial design might be a way of breaking into foreign markets and might be the one competitive advantage that a firm had vis-a-vis others in a foreign market. That was in line with research done in the field of international trade on so-called heterogeneous firms that had looked into why some firms were successful at exporting and other firms were not successful at exporting. The study had looked at firms that used the industrial design system, so the survey population was biased. There was a question of causality in terms of successful design innovation and exporting. It was usually the capabilities of the firms that determined both. When firms exported, for the most part, they exported within the region. In a few cases they exported and filed their industrial design in Japan, Europe and the United States of America, but most of the firms that exported did so at the regional level. The full study with a lot more findings was available on the WIPO website.

398. The Chair opened the floor for observations, comments or questions.

399. The Delegation of Thailand was very much interested in the findings of the study, and was pleased to learn that while the project was resource-intensive, it had been worth doing. Industrial design was one of the forms of IP that added value to the projects and benefited the entrepreneurs in the countries where the study had been undertaken. In 2018, from January to October, the Department of Intellectual Property in Thailand had received more than 4,500 applications for design patents. The study was good work and was highly appreciated by the countries concerned. The Delegation hoped that the findings could serve as a basis for further studies in the future.

400. The Delegation of the Philippines was very interested in the policy implications of the survey. In doing a cursory reading of the results, it wondered why participants had been hesitating to fill out the questionnaire, and whether that hesitation meant a lack of appreciation for IP or if it was more about how SMEs regarded IP in general.

401. The Delegation of Canada, speaking on behalf of Group B, was pleased that the careful design of the questionnaire as well as the proactive follow-up by national IP offices, for which it was grateful, had elicited a large number of quality replies by industrial designers. That provided important insights into a relatively understudied area of the IP system, namely industrial designs, including on the concrete behaviors, concerns, motivations, and means of industrial designers that sought to protect their creations. It thanked the designers that had participated in the survey for their valuable input. It took due note of that information. Moreover, the study's successful methodology provided useful lessons that might be applied in future survey-based studies or projects. As was the case with the study on Tourism in Egypt (document CDIP/22/INF/4), that study served as a useful example that IP rights could and did support businesses, both big and small, operating in a wide range of areas.

402. The Delegation of Lithuania, speaking on behalf of the CEBS Group, noted that the study's outputs were very interesting and thanked the Delegations of Indonesia, the Philippines and Thailand for their interest and ownership in the projects. It was pleased to note that the project had delivered successful outcomes.

403. The Delegation of India shared its national experience in relation to the topic. Design was an IP feature which was widely used by all, including the small, medium, and large-scale industries. For SMEs and startups, it was a general tool of innovation for marketing their products since the investment was very minor and registration was cheap and little time-consuming. Moreover, the registered products were easy to attract new customers, thereby promoting businesses. It acknowledged the summary of the study. It would be interesting for Member States to deliberate on the barriers faced by the successful domestic design innovators in entering international markets from policy perspectives, as mentioned in the report.

404. The Delegation of Austria, speaking on behalf of the EU and its member states, took note of the study, which showed very interesting results, especially that applicants dominantly were private and locally-owned companies, over 21 years old, and designers were between 35 and 50 years old or even older. It was interesting that applicants assigned considerable value to their design rights, with a median value between 30,000 to 100,000 US dollars, that there was a real risk of imitation and that design innovation might be a way of breaking into foreign markets and increasing exports. The study also revealed potential issues for improvement, namely the fact that applicants perceived the application process as long and difficult to understand.

405. The Secretariat (Mr. Carsten Fink) thanked all the delegations for their positive comments. Regarding the question raised by the Delegation of the Philippines on why it was difficult to get responses to the survey, it stated that the survey response rate, which, in the case of the Philippines, stood at 12 per cent, was not totally out of line with other studies. There was nothing, at least in light of the feedback received, that would suggest that the lack of interest in participating in the survey had anything to do with the particular subject. It was a general

challenge. Companies received many surveys. There was a certain survey fatigue, and quite often in small companies that were resource constrained, entrepreneurs wished to spend their time on other activities rather than on replying to a survey. It had spent a lot of time at the outset thinking about the length of the questionnaire, and had held discussions with partners in the countries, and some felt that the survey was quite long. On average it took about 35 to 40 minutes to fill out the survey. It was not a ten-minute online survey. That might have acted as a barrier. With the benefit of hindsight, it still defended its approach. A few survey responses might have been missed, but the survey responses received really covered wide ground. While it wished to have received more responses, the results were statistically meaningful.

406. The Delegation of Indonesia, speaking in its national capacity, welcomed the implementation of the project to narrow the knowledge gap faced by policymakers in designing and implementing a development-promoting IP regime, in that case of industrial design, and contribute to better informed decision-making on IP policies. As one of the countries where research studies were undertaken under the project conducted with WIPO, a series of meetings, workshops and seminars had been conducted to familiarize policymakers and partners in defining the scope of the work and to discuss preliminary and key results of the studies. Without a doubt the study was very important to promote and better inform policymakers in making decisions on IP policy which, in turn, would benefit Indonesian policy in general.

407. The Chair concluded the discussions on document CDIP/22/INF/2. The Committee took note of the information contained in that document, given that there were no further comments from the floor.

Document under consideration CDIP/22/INF/3 – Summary of the Study on Intellectual Property in the Health Sector Innovation System in Poland

408. The Secretariat (Mr. Julio Raffo) presented the Summary of the Study on Intellectual Property in the Health Sector Innovation System in Poland (document CDIP/22/INF/3). That country study had started with discussions with the Polish government in 2015. A fact-finding mission had been carried out in 2016, to engage in discussions with the Polish Patent Office (PPO), which was the main counterpart during the implementation of the study, as well as with many other agencies, particularly the Ministry of Health, the Ministry of Economy, the Centralized District Office of Poland, the Administration of Science and Higher Education, the Polish Academy of Science, and many academic institutions like the University of Warsaw and the Jagiellonian University as well as several industry representatives. Following those discussions, agreement was reached on an implementation plan and methodology. The project was executed from May 2016 to August 2018. The main objective of the project was to support evidence-based innovation and IP policymaking, particularly in the health sector of Poland. There were many guiding questions, two of which were key: (i) what were the factors influencing innovation performance in that sector and (ii) what was the relevance of IP and the IP system for that sector? The study had been coordinated jointly with the PPO. Within WIPO, the Economics and Statistics Division had handled the implementation, while relying substantially on local consultants jointly selected by the PPO and WIPO. The methodological design was separated into three main components, one of which was an analysis of existing data on innovation and IP from service, like the community innovation survey or other statistical surveys (i.e., the R&D survey). The second component was an IP mapping or landscape to try to understand how much use of patents and other models were being put in place by Polish applicants from the health sector and some foreign applicants. The third component was a qualitative survey. It had interviewed about 42 Polish companies in that sector as well as officials from representative agencies, particularly the agency in charge of medicine market clearance and academic institutions, to get an additional perspective on that topic. Concerning the implementation timeline and main activities, the project had experienced some delay. In general, implementation was fairly good. It included a fact-finding mission at the beginning and a second mission in September 2016 to organize a workshop for all the agencies and

stakeholders, including industry, which was a very important milestone in the project. It was very important in that workshop to redirect some of the methodological decisions taken early on which had proven not to be the best way to address the project. The project was officially finalized in October of 2018 with a dissemination event. It was very important to share the results with the country so they could be discussed and eventually used for implementing policies. Regarding the lessons learned in the implementation of the project, while there were three main challenges faced when implementing that particular country study, all of them were eventually overcome. The main challenge was that the implementation of the methodological qualitative survey required a lot of resources from the PPO. There had been a need to put a technological cooperation agreement in place and the time to do so had been underestimated. It was important for Member States to know that sometimes those studies took time, depending on the implementation. It took approximately a year to put in place the agreement, mostly for legal and administrative reasons. The second challenge was similar to one mentioned by Mr. Fink. It concerned the execution and implementation of field work. There was a tendency to substantially underestimate how resource-intensive field work was. There was a need to coordinate interviews with stakeholders. That needed to be accepted; someone had to conduct the interview, work on the transcripts and analyze all the data. There were 500-600 pages of transcripts out of those interviews with very valuable information. That was a lot to process, analyze and transform into a relevant study. It was grateful for the PPO's work on that. It had done commendable work. None of the difficulties came from that side, but it was important for Member States to understand when they requested those studies, particularly those that required field work, that they might take a lot of time and resources. The PPO had to devote a lot of resources in terms of staff and personal networks to convince the companies to accept interviews. The third challenge was the realization that having only one consultant to implement all three methodologies (which were very different and required a very different skillset) was not the best strategy. The decision was then made to split the work that what was meant to be done by one consultant into three different groups for three consultants. That was part of the success story of the project. However, there were tradeoffs. The consultants had different styles and approaches. However, there was gained gain in diversity. That was an important lesson for Member States when implementing a study. It was very hard to find the necessary skillset in a Member State. In particular, during the IP mapping exercise, it was very difficult to find an external consultant. The PPO had kindly assumed that part of the analysis with its own resources and own staff. That had a toll on its own workflow for national activities. The summary of the results were of interest not only in terms of economic results but also policy implications. In relation to innovation in the Polish health industries, it stated that it was mostly based on research on existing data of the service and that the health sector had an impressive growth since Poland had joined the EU. The pharmaceutical subsector had slowed down slightly after the crisis of 2011, but the industry had shown substantial dynamism. The growth in terms of firms and output was very impressive, although it remained a small subsector. Typically, medical technology companies were of small size, some even micro-size, so the contribution to the overall output was not as substantive as some of the big pharmaceutical companies in Poland, but it was very impressive in terms of dynamism. The pharmaceutical industry and the health sector in general were dominated by the production of generic medicines. However, there was sometimes a growing biotechnology capacity within those pharmaceutical companies. It was important when analyzing the IP use to see how that was dominated by the steering companies. The health-related industries, particularly pharmaceutical ones, were among the top innovation industries within the country, so they were usually the ones that expended more on R&D and that used the IP system slightly more. In terms of innovative results, they performed better than the national average, but they still did not have the same rates as in other EU members. They performed better than other Central Eastern European countries but not on the level of the wider EU average. The larger share of those innovative sales corresponded to products that were new to the firm but not new to the market and definitely not new to the world, which had implications for the IP use. Being dominated by generic companies and branded generics, there was little use of other IP, like trademarks and industrial designs, but there was some use, which was worth analyzing in the

future. In the second study about the patent and utility mapping model of the Polish health-related technologies, following the same economic behavior of that sector, there had been an impressive increase on the use of IP, both patent and models, by that sector. The average annual growth was 13 per cent, which was very impressive, but that was starting from a very low point. The overall level of IP use in that case, covering patents and models, was not comparable to some of the larger EU economies. They represented less than three per cent of the EU filings in that sector. The pharmaceutical sector mostly used IP nationally, but very rarely internationally or in other countries, not even in neighboring countries. That was related to the economic strategy, and how IP was perceived. As in many developing countries, there was a large number of academic filings, so a big extent of the patent use by domestic applicants was from academic institutions, universities and research centers, and a few of them accounted for the larger share, i.e. about 42 per cent of all patents filed corresponded to a handful of academic institutions. As to the third study on the qualitative assessment of the Polish health industries, the results resulted from the individual opinions of the users, definitely not the opinion of the PPO or the Secretariat. It was interesting to see how they perceived the IP system and innovation in their sector. The Polish pharmaceutical sector was mostly generic, and it was the generic industry that was developing secondary pharmaceutical innovations, so it was not even producing new methods to produce existing pharmaceutical innovations. However, the biotechnology and molecular biology subfield within the sector was promising, and it was most likely an innovative subsector within the pharmaceutical industries. The medical industry was very diversified. It was still considered a very small sector, but had had some breakthrough innovations, although they were focused on instruments and inputs and not necessarily on equipment. That qualitative jump would be important for the future. Those interviewees had commented on the obstacles and challenges to achieve innovation, and financial support was a typical one that appeared, along with a lack of cooperation between sectors and a lack of technological transfer from academia to the private sector. Academic partners probably perceived it otherwise, but still, that single diagnose was important. There was a lack of a mid-ground to exchange knowledge. According to the consultant and analyzing the answers, there was a general perception that IP knowledge and understanding on the part of the interviewees was not very deep or sophisticated, which implied that training and similar activities might be of use. Those respondents identified patents in particular as a defending tool. In most of the cases, they were not necessarily thinking of patents as a way of gathering market exclusivity or receiving licenses but mostly as having the freedom to operate in their own domestic market. That explained why they only used patents domestically. They had little intention to use that to protect new markets outside or to protect their novel inventions. There were some differences across industries. The medical technology companies were usually more prone to perceive patents as stimulating innovation and, similarly, a sub-branch from the pharmaceutical industry was trying to develop new products, new molecules, or new biotechnology outputs. The importance of patents for them was due to the fact that it was clear that they were not able to go all the way from the invention to the market, so they wanted to undertake the first steps of the R&D and of market clearance and at that point sell that project to a larger company that would undertake the last steps. Those companies were sophisticated enough to understand that patents were very important because it would be very hard to sell that research to the larger companies if they were not patent protected. There were some niche health-rated companies that had trouble to see usefulness in patents for obvious reasons. One of those was the generics sector, where there was no patentable material. A second one concerned molecular biology because there was a belief that trade secrets could be a more appropriate tool. There was a sub-branch of the medical technology related to telemedicine, i.e. medicine on the Internet. That branch struggled to use patents unless the inventions, mostly algorithms and software, were linked to a device, and that generated some issues. Finally, there was a substantive response from the interviewees that they made use of other IP rights, such as trademarks, utility models, and industrial designs, as complementary assets in their IP portfolio.

409. The Delegation of Poland was very satisfied with the results of the study. The project had focused on innovation in the public health sector in Poland. The analysis allowed Poland to gain knowledge about the legal, economic, and social mechanisms that defined innovation in that sector. The results of the study would have the positive impact of more consciously shaped policy in the field of IP at the local and national level in Poland. Other countries might benefit from that project in the future in order to meet their challenges and solve similar problems in their pharmaceutical and medical sectors.

410. The Delegation of Lithuania, speaking on behalf of the CEBS Group, stated that the studies and analyses conducted under the project shed light on the most innovative specializations as well as the strengths and weaknesses of the Polish pharmaceutical and medical technology sector. Barriers to innovation and challenges for the pharmaceutical sector in the context of the protection of IP rights had also been identified. Thanks to that research, it had been possible to gain a deeper understanding of the legal, economic and social mechanisms and phenomena that determined innovation in that sector. The project covered analyses in three areas, namely statistical, economic, patent, and qualitative data, which was a rather unique combination of analytical perspectives in such projects. The results achieved were presented to policy and decision-makers in Poland and were expected to help them in shaping national innovation policy, developing optimal legislative solutions in that sector and increasing the efficiency of spending public funds on research and development activities. They would also be useful in designing optimal patenting strategies in enterprises, universities and research institutes. It hoped that the project methodology as well as some results could benefit other countries that faced similar challenges in the pharmaceutical and medical technology sector.

411. The Delegation of Canada, speaking on behalf of Group B, noted the study's thorough three-pronged approach including the qualitative assessment based on the results of interviews conducted. It provided a comprehensive up-to-date view of the complex and multi-faceted roles and uses of IP in Poland's health sector as well as of the related opportunities and challenges. With respect to some of the patents and trends cited, it noted that the lack of cooperation between sectors as well as issues surrounding awareness of IP rules were identified as some of the main barriers to innovation. Those conclusions concretely underscored the importance of the work carried out by WIPO in connecting innovators to users and increasing the widespread understanding of the roles and rules of IP.

412. The Delegation of Austria, speaking on behalf of the EU and its member states, took due note of the summary of the study, which revealed very interesting facts regarding the Polish industry and economy. For example, generic medicines represented a considerable share of the Polish market of medicines and the price of pharmaceuticals was among the lowest in Europe. Also, although Poland had the largest medical technology industry among Central Eastern European countries, there might be space for improvement regarding productivity. It was also interesting that the Polish health industry had innovated more than the national average; however, it was still far from EU level, and sale and licensing of exclusive rights were not a popular form of commercialization.

413. The Chair concluded the discussions on document CDIP/22/INF/3. The Committee took note of the information contained in that document, given that there were no further comments from the floor.

**AGENDA ITEM 6: MONITOR, ASSESS, DISCUSS AND REPORT ON THE IMPLEMENTATION OF ALL DEVELOPMENT AGENDA RECOMMENDATIONS (resumed)**

Document under consideration CDIP/22/13 – Contribution of the Relevant WIPO Bodies to the Implementation of the Respective DA Recommendations (continued)

414. The Chair resumed the discussion on document CDIP/22/13. He reiterated the two options for a text to conclude the discussion on the issue. The first was that the Committee took note of the information contained in document CDIP/22/13, and included a request to the Secretariat to consult the secretariats of other relevant committees with regard to their contribution to the implementation of the DA Recommendations. The second was simply that the Committee took note of the information contained in document CDIP/22/13. He said that the request to the Secretariat to consult with other committees could be reflected in the Summary of the Chair since there was no consensus.

415. The Delegation of the Czech Republic expressed its trust in the work of other committees and bodies within WIPO. It recalled that only one cluster of all the 45 DA recommendations was devoted to normative work, so it was convinced that the key role for the DA was within the CDIP. It was satisfied with that situation within WIPO, and it did not see the need to ask other committees why they were not implementing DA recommendations.

416. The Delegation of Iran (Islamic Republic of) noted that all WIPO committees should contribute to the implementation of DA Recommendations. Submitting reports on their contributions was a good indication that they were working in the right direction. The CDIP was a specialized Committee on IP and development to follow the implementation of DA Recommendations. It had trust in all committees because it was a member of those committees. The committees were not any different. It was unfortunate that only the IGC had made a report in that direction. The report as such, was not substantive, but only compiling the statements made by delegations. The other committees could not come up with the same report, which could simply compile the views expressed by Member States. It was not in favor of asking other committees to do something or direct them or push them. It would not prioritize the CDIP over other committees as a higher body to decide for them. As the specialized Committee on development issues, the CDIP could encourage and invite them to prepare and submit a report on their contribution to the implementation of DA Recommendations.

417. The Delegation of Austria, speaking on behalf of the EU and its member states, supported the intervention made by the Delegation of the Czech Republic. It had agreed that all WIPO committees were working on equal footing and reported to the GA. If the GA decided to forward those reports to the CDIP, it would take that into account. However, one should be careful not to interfere in the affairs of other WIPO committees, thus ensuring the smooth and efficient working of the organization.

418. The Delegation of Lithuania, speaking on behalf of the CEBS Group, supported the statement made by the Delegation of the Czech Republic and Delegation of Austria, on behalf of the EU and its member states.

419. The Delegation of Morocco, speaking on behalf of the African Group, said that in document CDIP/22/13, the term "Bodies" was in the plural, which meant that all Bodies were invited to submit their reports. Furthermore, the GA had asked relevant bodies to include in their annual report to the GA a description of their contribution to the DA recommendations. There was no legal reason to stop the CDIP from asking other committees to submit their contributions. It did not see why some Member States were attempting to block that proposal, which was a very simple one.

420. The Delegation of Brazil echoed the comments made by the Delegations of Iran (Islamic Republic of) and of Morocco on behalf of the African Group. It was a question of framing. The Delegation acknowledged the concerns expressed by the Delegations of Canada on behalf of Group B, Austria on behalf of the EU and its member states, and Lithuania on behalf of the CEBS Group. It shared those concerns. One of the verbs used was "interfering." However, one could frame it more in terms of interaction or dialogue. "Interfering" was too strong a word, and that was not the objective. The CDIP had a role in the mainstreaming of the DA, and the more interactions and dialogue there were with other committees, the better the mainstreaming. That was to the benefit of all countries, it was not a North, South, East or West issue. Members had to stop thinking in those terms. That mind-set was no longer useful. There should be more interactions between the CDIP and others committees, just to know to what extent the DA was really being implemented. The Delegation of Iran (Islamic Republic of) had said that the IGC's contribution was not enough. It was not criticizing the work done by the Secretariat. There should be more dialogue with them and the CDIP should guide them and, it was not about interference, it was about interaction and dialogue to the benefit of all nations.

421. The Delegation of Canada, speaking on behalf of Group B, supported the statements by the Delegations of Austria on behalf of the EU and its member states and of Lithuania on behalf of the CEBS Group. It echoed a comment made the day before by a Member State from its Group to the effect that the CDIP was not a committee above other committees. It was difficult for the CDIP to give direction to other committees on how to manage the reporting situation.

422. The Delegation of Switzerland supported the statement made by the Delegations of Canada on behalf of Group B, of Austria on behalf of the EU and its member states and of Lithuania on behalf of the CEBS Group. It recalled the lengthy discussions held in the past, which had not led to anywhere. It did not want to raise ancient devils and look at something which had taken so much time and energy in the past, being aware that there were divergent views as to how one should handle that issue. Therefore, it proposed to follow the Chair's suggestion, i.e., simply to take note of the report. It called upon all delegations to avoid initiating a sterile debate which could possibly have consequences as to the atmosphere of the discussion in the CDIP.

423. The Chair recalled the options he suggested to reflect in the Summary by the Chair. Some members wanted only to "take note of the report" and others wished it to reflect that other WIPO committees should also contribute to the report to the CDIP. He then proposed an alternative which read as follows: "The Committee took note of the information contained in document CDIP/22/13, and further took note that since 2017, only the IGC had submitted its contribution to the implementation of relevant DA Recommendations." It was factual. It did not include a request, it was just a recognition that the IGC had done so. That might encourage other committees to do the same.

424. The Delegation of the Czech Republic supported the Chair's proposal as an acceptable compromise.

425. The Delegation of Morocco, speaking on behalf of the African Group, stated that it needed time for consultation.

426. The Chair asked to show the text on the screen.

427. The Delegation of Lithuania, speaking on behalf of the CEBS Group, found the Chair's proposal factual. It hoped it would be supported by the CEBS Group.

428. The Delegation of Switzerland said that the Chair's proposal contained interesting aspects, but it supported the request by the Delegation of Morocco on behalf of the African

Group to come back to that later, as it would be useful to take the time to consider that proposal and discuss it with other members of the Committee.

429. The Delegation of the United Kingdom thanked the Chair for pushing the CDIP into action. It recalled the statement by the Delegation of Morocco on behalf of African Group that it was the GA that had requested, rather than WIPO Bodies, to take its own responsibility, and it was the committees themselves that were responsible to deliver on that direction. It was not up to one particular committee to educate or control other committees or recall on the delivery of the GA's decision. It was up to the GA to oversee the interaction. It referred to the statement by the Delegation of Brazil and the desire for more interaction, but said it was for the GA to oversee interaction among committees, not for other subsidiary bodies. The best way to speed up that point was to fall back on the least common denominator, which was the original proposed decision, which should be kept on the table as one of the options.

430. The Chair recalled the two positions on the table and asked delegations to consult and to be back in the afternoon with a firm and consensus solution.

431. The Delegation of Morocco, speaking on behalf of the African Group, said it would consult on that, but given that there were two quite different points of view, and given that it was a factual summary, it proposed mentioning in the Summary by the Chair that there were two divergent points of view. One was that certain delegations foresaw asking the secretariats of the other committees to put forward their contribution, and others did not think that it was important to do so. It asked to reflect the two points of view in the Summary by the Chair.

432. The Chair said that having two positions reflected in the Summary by the Chair indicated a nonconsensual text, and that should be avoided as it would set a precedent. He had tried to come up with a proposal that could receive positive feedback, but it was the right of the Delegation of Morocco to put forward a proposal for a text to be reflected in the Summary by the Chair. The Chair ensured that the report of the meeting would reflect the point of view of every delegation. However, the Summary by the Chair had to reflect a consensual text. He said it was important to recognize the contribution of the IGC. The Chair then suspended the discussion, given the requests for consultation.

## **AGENDA ITEM 8: INTELLECTUAL PROPERTY AND DEVELOPMENT**

### Presentation by the Secretariat on "Women and IP"

433. The Chair recalled that it was the first time for the Committee to discuss substantive matters under the agenda item "IP and Development". The 21<sup>st</sup> session of the CDIP had decided that the first topic to be discussed under that agenda item should be Women and IP, which reflected the importance of that subject. He hoped Member States would engage actively to ensure a meaningful discussion. Gender issues were at the forefront of development discussions worldwide. Gender equality was not only considered a basic human right but also a crucial tool for sustainable development. Empowerment of women spurred productivity and accelerated growth. The prominent place of general issues in the agenda of the UN spoke to the reference of that issue and its cross-cutting character. Since 2010, the UN system had an entity, UN Women, specifically devoted to promote gender equality and empowerment of women. Moreover, women-related matters were recognized in all entities across the UN system, including WIPO. Gender equality was an integral part of each of the 17 SDGs of the 2030 Agenda. Goal Number 5, Gender Equality, specifically called for actions in that area. Recognizing the importance of women participation in innovation and creativity was in line with those efforts. In that regard, national bodies should adopt policies and measures that support innovative and creative women. The IP system could work as a very useful tool to promote the contribution of women and have them fully reap the benefit of their work. As highlighted in the

context of the 2018 World Intellectual Property Day, data showed a positive trend in the participation of women in IP, but the gender gap persisted. He encouraged Member States to use the discussion to lay down the foundation in that direction, both by WIPO and Member States. He also encouraged them to tell their practices, lessons learned, and challenges in adopting measures to ensure the full participation of women in the IP world with a view to learning from each other and drawing meaningful conclusions that would help better design and implement future actions.

434. The Director General, Dr. Francis Gurry, was delighted that the Member States had chosen to take that topic up within the context of the CDIP. It was important and consistent with the emphasis that WIPO as a whole, not just the Member States, but also the Secretariat, had placed on that extremely important question of gender equality in the context of IP. He mentioned WIPO's profound commitment to gender equality in all respects, which was expressed in a number of different ways. It was expressed, first of all, in the internal policy instruments governing the Secretariat. WIPO had adopted a policy of gender equality in 2014. Within the Secretariat, 25 gender focal points had to ensure that their respective program managers were sensitive to gender issues in the development and execution of their respective programs. A number of different program orientations with respect to gender equality had been proposed. The 2018 World Intellectual Property Day was devoted to the theme "Powering change: Women in innovation and creativity". It saw record participation around the world; an extraordinarily high number of events were organized in all of the Member States on that theme, which promoted awareness of the issues to a great extent. WIPO had developed tools internally for monitoring indicators of gender equality within the IP sphere. WIPO's Chief Economist had been working on that systematically for a number of years and the results were published in the World Intellectual Property Indicators Report, the new edition of which would be coming out the following week, and in the PCT Yearly Review in terms of the participation of women as inventors and international patent applications. Fifty-two per cent of distance learning participants, which amounted to approximately 65,000 persons around the world each year, were women. WIPO cooperated with a large number of Member States in the organization of events at the national level concerning the empowerment of women in the field of innovation, creativity, creative industries, and IP. He thanked the CDIP for the opportunity to present WIPO's actions and to get direction and guidance from Member States. He greatly appreciated the emphasis placed on that exceptionally important topic. He highlighted the importance of the Chair's statement as to the missed opportunity that gender inequality presented.

435. The Secretariat (Ms. Cornelia Moussa) described the progress by the Secretariat on the issue of gender mainstreaming and gender equality. It stated it was not a human resources (HR) issue *per se* but it was an issue that HR dealt with in the workforce. The gender and diversity expert, hired in 2014, reported to the HR Director and coordinated the work of the 25 focal points throughout WIPO in all programs. The expert had a key role to play. In terms of gender, WIPO did not work in isolation but with the UN System. In addition to UN Women, in 2012 the UN system had launched the UN System-Wide Action Plan on Gender Equality and the Empowerment of Women (UN SWAP), endorsed by the high-level committee on management and by the Chief Executive Board of which it was a member. WIPO had participated in the UN SWAP since 2012, and at that time it met up to 7 per cent of the 15 performance indicators. It had worked very hard since then. As of 2017, WIPO had advanced to 46 per cent. This was included in the HR Annual Report every year. The 46 per cent was above average of other UN entities that had a technical focus, where the average was about 42 per cent. WIPO was slightly ahead but more needed to be done. Part of the UN SWAP was the gender marker, which meant that it had to include at least one high-level result on gender equality and empowerment of women in WIPO strategic documents, like the Program and Budget. This also showed good progress. In 2016, when it had first been introduced, WIPO had very little mention of gender in its programs. Progress had been made to increase it to 47 per cent. As a way of example, it highlighted that in copyright law and other legal divisions,

WIPO ensured that the legal texts were gender inclusive. Units that organized capacity-building workshops encouraged women to participate, and units that organized panels aimed to have mixed gender panels. The HR Department had launched a number of initiatives to make progress on gender equality in the workforce. The Organization had gender equality overall but not at senior levels. There was more work to do, basically from the P4 level and above. Women were still less than half in the workforce and that was particularly challenging, since less than half of the applications for vacancies were made by women. Member States had insisted that WIPO recruit on merit and the only way to address that issue was to encourage highly qualified women to apply, which was not an easy task. In order to work on that, WIPO tried to identify internally talented women who could eventually reach more senior levels. WIPO had started a pilot program in 2015 with encouraging results. The selected women had gone through a year-long very intensive program of support in order to reach a position where they could compete for senior vacancies when those vacancies would be available. Some women had already applied for senior level jobs and they had managed to secure positions at more senior level. Additionally, WIPO had participated in an inter-agency development initiative, EMERG, where several UN agencies worked together with women at the P3 level. There were a number of WIPO staff members in that program, which were receiving good feedback. Finally, WIPO had a female talent pool, so that when women particularly promising were identified, they would be added to a talent pool. Should relevant positions be open, WIPO would ensure that they were aware of those and could submit applications. There had been other initiatives related to broader themes. It highlighted that the Director General was an International Gender Champion since 2016. The International Gender Champions formed a network of more than 200 senior leaders committed to gender equality. The Director General had to meet several targets every year, which he had been doing very consistently.

436. The Secretariat (Ms. Cathy Jewell) addressed the way in which WIPO communicated about gender. Promoting awareness about gender and gender equality was a high priority in the work of the Communications Division, in terms of the language used, editorial guidelines, mainstreaming gender neutrality, and the messaging when reporting on the insights, experiences and achievements of WIPO in supporting efforts to enable greater participation by women in IP, innovation, and creativity. In relation to the stories featured in WIPO publications, media reports, social media channels, audiovisual materials, the WIPO website, the WIPO Wire, and the WIPO Magazine, it made every effort to feature an equal number of women and men in the outputs produced to demonstrate how people were using the IP System. Many of the stories featured across WIPO's Communication Channels explored how inspirational women were using the IP system, including the services provided by WIPO to advance their goals. Women like Dorothy Ghattuba, Founder and CEO, Spielworks Media, who was promoting local content in Africa and local creators; India's Kiran Mazumdar-Shaw who lead Biocom, India's largest innovation-led pharmaceutical company; or Brazilian Professor Joana D'Arc Félix de Souza who was raising IP awareness among young socially-vulnerable people to enable them to realize their potential to invent, create, and become innovators or entrepreneurs; people like the British innovator and entrepreneur Mandy Haberman, whose products, including the "Any Way Up Cup" for toddlers had revolutionized the nursery industry and brought relief to millions of families around the world. Those women were an inspiration to all and their remarkable achievements were an invaluable legacy to young girls everywhere with aspirations to become the creators and inventors of tomorrow. Their stories enabled WIPO to engage with audiences and to demonstrate the value and importance of IP in the real world. Another indication of WIPO's strong commitment to gender equality was the fact that in 2018, under the guidance of the Director General, the World Intellectual Property Day campaign had been rolled-out under the theme of "Powering Change: Women in innovation and creativity". On that occasion, the Director General had underlined WIPO's commitment to gender equality, calling upon "everyone, everywhere to ensure that we do everything in our power to increase full participation of women in innovation and creativity." Only by redoubling the efforts to encourage more women to engage in IP, innovation and creativity, would it be possible "for humanity to realize its full innovative and creative potential." The 2018 World Intellectual Property Day

campaign was WIPO's most successful one to that date, with more than 600 activities organized in 135 countries and territories. It had celebrated the brilliance, ingenuity, curiosity and courage of the women driving change in the world. The campaign was an opportunity for women across the globe to express their views on why it was important for them to engage in IP, innovation, and creativity. During the campaign, WIPO had also released updated figures on the use of the PCT by women inventors and created a narrative around that which had resulted in significantly more mainstream media coverage of the campaign. The campaign had also underlined the value of diversity. When women and men worked together, it strengthened humanity and improved the ability to enrich shared cultural wealth and to find effective solutions to alleviate poverty, boost global health and safeguard the environment. The Communications Division would continue to support WIPO's work in increasing awareness of the important role that women could play in innovation and entrepreneurship, and would continue to develop interesting and compelling ways to engage and encourage women, especially those from developing countries and LDCs, to become more IP aware, to use the IP system, and to help reduce the gender gap in IP.

437. The Secretariat (Mr. Michal Svantner) shared the actions of the Department for Transition and Developed Countries (TDC) to promote gender equality and the empowerment and better placement of girls and women in creativity and in the whole IP system. Gender equality was considered in preparing the final activities for 2019 and in designing a better program and budget for 2020 and 2021. Positive responses had been received in the design and development of activities to promote innovation to bring added value to WIPO. The commitment and keen interest in the Member States and national authorities (national IP offices, related governmental and other structures dealing with the promotion of creativity of women and girls in inventions and IP) facilitated it. It mentioned an event organized in the Philippines for women exploring how to promote the presence of girls in innovation and in the IP system in a more attractive and effective way. There had been an important number of outcomes and concrete recommendations, which the senior management was working on and which the TDC team would deal with in the following two to three years. It pointed out that an information paper had been prepared reflecting some of the activities that had been mentioned by Ms. Cornelia Moussa. The Secretariat would respond to questions and provide further information, if needed.

438. The Secretariat (Mr. Oswaldo Girones Jorda) introduced the activities of the Regional Bureau for Latin America and the Caribbean. The Bureau, together with countries in the region, was gradually incorporating in its annual workplans a series of actions and technical assistance activities, which either included or at least considered the gender issue, and thus encouraged gender equality together with the use of and access to the IP system in the region. The Bureau worked along two main lines; first, analyzing how to link IP to existing or developing gender policies at the national level and second, to determine how to include gender equality within the IP offices themselves, i.e. to establish practices so that those offices considered the gender issue as an integral part of institutional management and the services offered. In the region, in 2017 and 2018, it had organized two meetings on IP, innovation and gender equality. The first was held in Colombia, jointly organized with the Ministry of Foreign Affairs, on October 19 and 20, 2017, in Bogota. The intention was to serve as a general forum for debate to share points of view and experiences as to how gender equality could be promoted in the context of innovation strategies and the protection of IP. The participation of both women and men experts from Colombia was directly linked to the issue of gender. The World Women Inventors and Entrepreneurs Association also participated. A series of needs had been recognized among the outcomes of the Bogota meeting: to strengthen the development and implementation of gender equality; to incorporate such efforts in IP to encourage and strengthen cooperation between IP offices and national institutions responsible for gender issues; to encourage the use of IP by women and facilitate the development of their capacities to stimulate an exchange of experiences at the regional level and the need to incorporate gender equality in the context of policy, management, and functions of IP offices. The second regional meeting had been organized in Montevideo with the National IP Directorate and the Committee for Social and

Gender Development of the Ministry of Industry Energy and Mining of Uruguay in November 2018. The specific objective was to reflect on possible action lines as defined by the Bogota meeting and on how to incorporate the issue of gender equality in the context of policy management and functions of an IP office. At that meeting, the participation of representatives of UN Women, in addition to establishing a link for possible future cooperation, allowed to raise awareness about initiatives in the area of public policy and programs encouraged by UN Women for gender equality. One of the main action lines stemming from the Montevideo meeting was to establish that applications should include a gender line and to create mechanisms to link the information about the applicant with the various databases in order to obtain information on gender. The need to construct indicators on gender were also important. It explored the possibility of establishing a working group between WIPO, UN Women and a group of countries in order to analyze possible mechanisms to set up such indicators and to determine how to measure them. The meeting also identified the need to identify practices in some national offices in the region for design or implementation of policies linked to gender equality, in order to serve as a reference for the development of institutional policies in IP offices. It also looked at the possibility of promoting actions and activities for women groups in order to empower them socially and economically through the use of the IP system, recognizing that such actions and promotion had to support the women who would assist in the development of those IP initiatives, particularly when those were women's collectives. Tools and mechanisms with a gender profile could be developed, including making available human resources in the offices with gender sensitivity. It also worked on the identification of information of institutional stakeholders, associates, interest groups, which could facilitate building a Latin American IP and Gender Network. The countries of the region, in 2017 and 2018, had increased demand and development of cooperative activities, including the gender dimension, whether from the point of view of capacity building in women's groups regarding the use of the IP system in sectors like design or through activities aimed at promoting the importance of IP in innovation and the role of women. It had developed activities in Cuba, Mexico, Jamaica, Trinidad and Tobago and Uruguay. Its 2019 work plan included a third sub-regional meeting to be held in Lima, Peru, with a view to following up on the actions and results achieved by the IP offices in incorporating gender issues in their management structure.

439. The Secretariat (Mr. Walid Abdelnasser) shared some activities that the Regional Bureau for Arab Countries had undertaken since 2016 on gender mainstreaming. In 2016, upon instructions of the Director General, the Regional Bureau for Arab Countries had designated one of its staff members as focal point on gender. The Bureau had then started coordinating with the WIPO focal point on gender at the Human Resource and Management Development Department (HRMD). The main regional activity for 2017 had taken place in cooperation with the League of Arab States based in Cairo as well as the World Women Inventors and Entrepreneurs Association, an NGO based in the Republic of Korea. It had coordinated a regional meeting, entitled Encouraging Women Innovation in the Arab World, which took place on May 7 to 10, 2017, at the Headquarters of the League of Arab States in Cairo. That meeting was attended by 17 of the 22 Arab countries and the evaluation of participants had been very positive. It had provided, for the first time at the regional level, with a regional meeting focused on the relationships between women, IP and innovation. In line with the theme of the 2018 World Intellectual Property Day "Powering Change: Women in innovation and creativity," during the regional meeting for the directors of IP offices of Arab countries, hosted by the Academy of Scientific Research and Technology and held in Cairo in April 2018, one full day session was devoted to the theme of Encouraging Innovation and Creativity of Women for Economic Development. The WIPO focal point on gender at the HRMD had participated. The meeting was chaired by Deputy Director General, Mr. Mario Matus. On April 23 and 24, 2018, the League of Arab States had organized a regional seminar at its headquarters in Cairo where 13 Arab countries were represented and WIPO participated by making a presentation. At the end of October and the beginning of November 2018, a sub-regional meeting for Arab countries had been held on the role of IP in achieving economic development. A special session on Gender, IP and Economic Development was devoted to the relationship between women, IP innovation

and economic development in the Arab region. In the preparation of the proposed workplan for the Regional Bureau for Arab Countries for 2019, the Hashemite Kingdom of Jordan had proposed to host a regional meeting on IP and women entrepreneurship in the Arab Region. The sixth recommendation of the Eighth Arab Regional Coordination Meeting for Heads of Industrial Property Offices, which had taken place on April 10 to 12, 2018, read: "Recognizing the important and vital role of women inventors and creators in further developing national economies, participants praised the World Intellectual Property Organization for its efforts in encouraging women inventors and creators, particularly through dedicating the theme of the 2018 World IP Day to Empowering Change, Women Innovation and Creativity." Participants had also recalled with appreciation WIPO's and the League of Arab States' cooperation over 2017 and called for further enhancing Arab cooperation with WIPO in that area. With the work of the WIPO Chief Economist Office, some statistics were available about the applications with at least one woman inventor in selected Arab countries covering the period between 2008 and 2016 in Algeria, Egypt, Morocco, Saudi Arabia and the UAE. For most of those countries, the number of applications was upward moving over that period. It hoped that it would be generalized to other Arab countries in the near future. WIPO had also organized two regional meetings, one of which in cooperation with the League of Arab States at its Headquarters in Cairo on November 7 to 8, 2018, with the title: "IP and Youth." Almost 65 per cent of participants were women. Another regional meeting had been co-organized by WIPO with the World Health Organization (WHO) and the World Trade Organization (WTO). It was a regional workshop on public health, IP and trade hosted by the State of Kuwait, at Kuwait City, from November 18 to 21, 2018. Out of the 35 participants of the workshop, 21 were women, i.e. 60 per cent. Those two meetings indicated the degree of importance that the Arab countries attached to the representation of women in IP and innovation activities. In addition, in the innovation fairs that had been increasingly organized by a number of Arab countries, including Kuwait, Algeria, Egypt, Morocco and Tunisia, there had been an increase in the percentage of inventions undertaken, presented and shown by women inventors. The most recent case had been an event in Cairo at the National Academy for Scientific Research and Technology, on November 8 and 9, 2018, where 72 per cent of the prizes were given to female inventors. In January 2018, in Kuwait, at the 10<sup>th</sup> Kuwait International Fair for Inventions, 56 per cent of the prizes were given to female inventors. It hoped that those figures would improve in the following years. It expressed its appreciation to the national IP offices and the permanent missions of Arab countries for cooperating in enhancing the cause of gender and enhancing the role of women in IP and innovation activities by WIPO.

440. The Secretariat (Ms. Cornelia Moussa) mentioned a few additional noteworthy activities. A regional forum featuring African women researchers and entrepreneurs in Morocco in 2017 had brought together more than 200 women engaged in the agricultural and agri-business sector. In 2018, WIPO had provided IP training programs to more than 140 senior officials from LDCs, of which half were women, in cooperation with the Swedish Patent and Registration Office. That included an agenda item on gender and IP, promoting the participation of women in the IP System in LDCs. WIPO had also supported a community of more than 400 women basket weavers in the Republic of Kenya to form an association to acquire a collective mark and develop their livelihoods. In Asia, WIPO had supported the Korea International Women's Invention Forum and workshop in collaboration with the Korea IP office and the Korea Women Inventors Association. The 2018 Forum had attracted more than 370 women innovators from more than 20 countries representing many developing countries and countries in transition. WIPO, through its Academy, had started collaborating with UNESCO's and L'Oréal's Women in Science Program. In March 2018, 10 award-winning scientists from five regions of the world had taken part in a study visit to WIPO to enhance their knowledge of IP. Those were some of the examples that showed the wide range of gender activities that WIPO was undertaking.

441. The Secretariat (Mr. Carsten Fink) provided an overview of the work done in the area of economics and statistics. Mr. Bruno LeFeuvre and Mr. Julio Raffo would provide concrete statistics, trends and patterns regarding the participation of women in the IP System. The work

on gender had started in 2016 in the form of a pilot project to identify the gender of inventors listed in patent applications under the PCT. That project had been largely successful. It acknowledged the pioneering contributions of Mr. Julio Raffo. Patent application forms did not allow the rapid identification of the gender of inventors, so name dictionaries were required to identify the gender of the first names of different ethnicities and match those against patent records. This had been done for more than 90 per cent of all the names listed in patent applications. The task was harder for Asian countries, but even in that case there were high identification rates. After that successful pilot, it had mainstreamed that work in the form of indicators that were since then regularly produced in key reports, such as the World Intellectual Property Indicators. In fact, the special theme of the 2016 World Intellectual Property Indicators provided an introduction into the measurement of women participation in the patent system, and since then, it regularly updated the figures reflecting the latest available data. The same was done for the PCT Yearly Review, the statistical report focusing on the PCT system. As of 2018, data could be downloaded on gender participation in the PCT system from the IP Statistics Data Center. That was an online tool that allowed for the selection of data by years and countries. It had also worked with a number of IP offices around the world that had been inspired by WIPO's work and had produced similar statistics for their national collections. They had, at least in part, relied on the name dictionary available on the WIPO website. Should any other Member States wish to undertake a similar task, it would be happy to assist, within the resources available. It was in the process of widening that work. Mr. Julio Raffo would share some data in relation to design filings under the Hague system. It hoped in the future to undertake more targeted study projects to go beyond the statistics and explore the reasons behind the participation rates of women in the IP system as reflected in the statistics.

442. The Secretariat (Mr. Bruno Le Feuvre) provided an overview of key trends and patterns found in the PCT statistics regarding women inventors. A trend going from 2003 to 2017 showed that the share of PCT applications that contained at least one woman inventor was increasing over time, which was very positive. The share of PCT applications with women inventors tended to increase over time, but the latest result for 2017 showed that 31 per cent of PCT applications were by women inventors. Put differently, nearly 70 per cent of PCT applications listed only men inventors. There was a large gap, even though the situation was improving over time. That was confirmed by the share of women inventors among all inventors, which was increasing over time. For 2017, 16.4 per cent of inventors were women, that is, approximately 83 per cent of inventors were men, so there was a large gap between men and women. The same had been observed at the regional level. Asia, Latin America and the Caribbean, and North America were above the world average. Europe, Oceania and Africa were below average. There was no outstanding region. The shares were similar. It was encouraging that in each of the geographical regions in the world, the share of PCT applications with women inventors had increased over the previous decade. Regarding the share of PCT applications with at least one woman inventor in the top 20 countries of origin of PCT applications, the numbers varied across countries, with the Republic of Korea and China having the highest share, around 50 per cent. That did not mean that they achieved gender equality, but that in half of the applications, some women inventors were listed and, in the other half, only men inventors were listed. It did reflect a gap, which was nevertheless lower than for other countries like Japan, Germany, Italy, or Austria. Many factors could explain those differences and the field of technology was one of them. In life sciences, biotechnology, pharmaceutical, organic chemistry, women were much more frequently listed in PCT applications than in fields such as mechanical engineering, mechanical elements, engine pumps, or turbine, where women were less frequently listed.

443. The Secretariat (Mr. Julio Raffo) stated that it was exploring The Hague industrial design registrations to study how many women were listed as creators or how many registrations had, at least, one woman creator. There were some challenges. It relied, as the data provided by the Madrid Information System, on an enhanced version of the name dictionary, trying to incorporate even more diversity in terms of name and country coverage. There was significant

data-cleaning work to be performed. There were some changes in the data recording systems of the Hague system. Another challenge was that a substantive amount of registrations came from countries where the national laws did not require to list the creators. Without the list of creators, the dictionary could not be used. An additional challenge was that new members to the Hague System had changed the composition and not all Member States had the same shares of women participation in industrial designs or had the same structure in terms of industries. That applied to both the PCT and the Hague. In the last three years covered, there had been an increase of Hague registrations, which to some extent reflected the joining of the new members, but was also due to the fact that new members did require the list of creators. The percentage of Hague registrations with at least one woman listed as designer was equivalent to approximately 43 or 44 per cent. There was an increasing trend in the participation of women in industrial designs, although the trend was slightly erratic. In comparison to the PCT trends, the indicators were higher but not increasing as fast. A lesson learnt from the PCT data had been that, even in those sectors where women were participating less, participation was increasing. There was less conclusive evidence on that topic and further investigation was required. The Secretariat concluded by highlighting some of the lessons learnt. Women participation was increasing in virtually all dimensions in relation to patents. However, there was still a lot to be done and many national and international policies could be put in place. The positive note was that the analysis was mainstreamed and the Secretariat was reporting on the topic every year in every publication. It was trying to move further in industrial design. Some preliminary data had showed that the participation of women was higher than in PCT, but it was still far from gender balance. There were some data challenges that applied to that analysis. The Secretariat was trying to explore other research avenues, such as how to perform the analysis within the Madrid system, which also posed some challenges. Although trademark data was very rich, there was no equivalent of creators and inventors, so only individual applicants that filed trademark applications could be subject to assessment. It was also trying to use the PCT and national data to explore further on SMEs and entrepreneurship. The work was very exploratory, but many Member States would appreciate that line of research. It was also trying to develop a sophisticated tool to build on the gender dictionary which could be used by researchers and Member States to attribute gender to their own national collections. There were some limitations, which could be discussed on another occasion.

444. The Secretariat (Ms. Cornelia Moussa) concluded the Secretariat's presentation. WIPO was seriously engaged in promoting women's participation in IP. It continued to mainstream gender in its programs and policies, to implement its policy on gender equality, and to empower women through a range of IP training and capacity-building programs. It was very keen to work closely with Member States on that important endeavor.

#### Discussion on "Women and IP"

445. The Chair opened the discussion on Women and IP.

446. The Delegation of the Republic of Korea, speaking on behalf of the five MIKTA countries (Mexico, Indonesia, Republic of Korea, Turkey and Australia), provided a summary of the seminar on Women in Innovation in MIKTA countries that had been held on November 19, 2018 under Indonesia's MIKTA chairmanship. MIKTA was an innovative partnership that encompassed a combined population of more than 545 million people, vibrant economies and a wealth of diversity. It highly valued women's skills and creativity in society and was committed to taking targeted actions to empower women through the use of IP. Furthermore, it recognized the importance of fostering a nurturing atmosphere in which women innovators could realize their full potential and, as a result, actively contribute to the transformation of lives in all spheres. It emphasized its commitment to supporting and cooperating with WIPO in its efforts to raise women's awareness of IP and to promote women's innovative activities around the world. In fact, in commemoration of the 2018 World Intellectual Property Day on April 26 hosted by

WIPO, MIKTA countries had also held an exhibition entitled “Women Innovators from MIKTA.” Through that event, it showcased how women in MIKTA countries brought powerful change through innovation and creativity. It was a chance to introduce successful women walking on the path of innovation and changing many lives for the better. On November 19, 2018, on the occasion of the 22<sup>nd</sup> session of the CDIP, MIKTA had held a seminar on Women and Innovation in MIKTA countries. That seminar allowed MIKTA countries to share their efforts by introducing policies or success stories in relation to women and innovation. For the participants, the seminar provided a forum for exchanging views on ways to facilitate women’s use of the IP system, thereby increasing the participation of female inventors, designers, and artists around the globe. In that seminar, the focus of Mexico’s presentation had been the topic of Educational Intervention Models to Promote the Inclusion of Girls and Teenagers in Science and Technology. The Mexican expert had mentioned that, according to OECD data, although more than 30 per cent of employers in Mexico had faced difficulties in finding persons to fill job vacancies in STEM areas (science, technology, engineering and mathematics), only 8 per cent of Mexican women chose those professional careers, as compared to 27 per cent of Mexican men. The Mexican expert had highlighted several affirmative actions and referred to different ways to create a safer and more inclusive environment for girls and women, as well as the positive effects of those actions on STEM education. Indonesia had highlighted the role of the creative economy and IP in promoting women’s empowerment under the theme of Fostering Creative Economy. Women had been at the center stage for the creation, preservation, safeguarding and evolution of Indonesia’s creative and cultural industries. According to the 2017 data of the National Agency of Creative Economy, women represented 54 per cent of Indonesia’s creative industry workforce. Approximately 11 million or 43 per cent of the 26 million SMEs in Indonesia were women SMEs. The Indonesian government had implemented its commitment to empower women in the creative industries through coordinated policies by its national agency for creative economy, both at the national and provincial levels. The Republic of Korea had highlighted several annual projects, implemented by the Korean Intellectual Property Office (KIPO) that contributed to promoting and inspiring women’s inventions and innovative activities. Those projects aimed to provide women with the opportunity to cultivate knowledge on IP, foster a global network of women inventors and business women and support the commercialization of excellent ideas by women innovators. With the partnership of WIPO and the Korean Women Inventors Association, KIPO had hosted the Korean International Women’s Inventions Exposition and related workshops every year, bringing together women innovators from Korea and abroad. In addition, KIPO operated training and support programs for women to foster awareness and capacity of IP. Turkey had presented the role of women in innovative activities by making reference to studies that focused on IP figures. It had also emphasized the importance of developing policies to encourage women’s innovative activities and entrepreneurship and had mentioned the strategy “paper and action plan” for empowering women in Turkey. Turkey had highlighted policies, initiatives, and best practices from public, private, and NGOs and stressed the importance of collaboration between all relevant actors in all policy spheres. Turkey had also underlined that technological developments and digitization should be regarded as an opportunity for empowering women through innovation and creativity. Finally, Australia had highlighted case studies, policies, and programs supporting indigenous Australian women in business. Australia’s national celebration of Aboriginal and Torres Strait Islander peoples, through the theme “Because of Her We Could,” had focused on the active and significant role that indigenous Australian women had played and continued to play in innovation. Recognizing the importance of IP protection and innovation policies and practices as relevant factors underpinning business success, Australia’s presentation had introduced frameworks that supported indigenous Australian women in their business endeavors. For instance, Nanga Mai Arung or the Dream Shield was an online resource that provided foundational IP advice for indigenous Australians. Taking that opportunity in line with the principle of empowering women and improving gender equality in IP, MIKTA countries welcomed the proposal put forward by Mexico on Women and IP. MIKTA countries would continue to invest efforts in facilitating women’s further involvement in the IP system,

demonstrating its commitment to the achievement of Goal 5 of Gender Equality of the UN 2030 Agenda for Sustainable Development.

447. The Delegation of Canada, speaking in its national capacity, stated that the Secretariat's presentations were very helpful and showcased WIPO's excellent work in the area of Women and IP. It was glad that the CDIP had decided to enrich the CDIP agenda by discussing the topic of Women and IP, which would allow for meaningful and constructive exchanges on experiences and best practices. It had been looking forward to hearing the experience of other Member States and to sharing its own. From an IP perspective, it had launched its first national IP strategy in April 2018. The strategy aimed to help innovators compete on the global stage and included a variety of measures that specifically favored groups who were systematically underrepresented within the IP ecosystem, including women. The Canadian Intellectual Property Office (CIPO) had announced in 2018 that it would increase the number of education and awareness initiatives delivered in partnership with businesses, intermediaries and academia to ensure that Canadians better understood and exploited IP, and integrated it into business strategies. That would include targeted initiatives to support women and other underrepresented groups. To that date, CIPO had developed a number of IP awareness and education initiatives that specifically targeted the needs of women inventors. In 2018, CIPO had hosted six World IP Day events across the country that celebrated women contributions to innovation, featured women IP successes on its website, and co-hosted IP seminars on international Women's Day with the Indo-Canadian Chamber of Commerce. Among other initiatives, CIPO partnered with organizations that supported women entrepreneurs in order to increase the knowledge and effective use of IP, develop IP case studies tailored to women entrepreneurs, building and launching an IP hub to serve as a connector to partners and provide support for women entrepreneurs. Further to WIPO's leadership in studying the proportion of inventors who were women and the proportion of PCT applications with at least one woman inventor, CIPO had conducted and published an in-depth study entitled "Women's Participation in International Patenting and Analysis of International Patents Applications Originating in Canada." The study concluded that while the number of patent applications submitted by women inventors globally had increased incrementally over the past decade, the number of patent applications filed in Canada had stagnated in comparison. Post-secondary enrollment data revealed that the share of women graduating with STEM degrees had increased in recent years, meaning the gender gap in patenting was not simply a pipeline problem but something more structural and systemic. That result highlighted the need for more research on the barriers that women faced and that hindered their participation in patenting activities. Only a better understanding of those barriers would allow developing effective solutions to address the challenges faced by women participating in the IP system. Such opportunities, such as the CDIP discussion on Women and IP, offered meaningful stepping stones in that direction.

448. The Delegation of Mexico stated that the gap between women and men was a painful reality that affected all countries. The World Report on the Gender Gap of the World Economic Forum stated that "when women and girls are not integrated, the global community loses skills, ideas, and important perspectives in order to achieve global challenges." The report added that the biggest gaps were in the STEM, software and information technology areas, as well as in energy and mining. Changing the situation and reaching a balance could take more than a century, which was unacceptable in a world where women represented half of the population and contributed to the world economy despite facing multiple obstacles. The Delegation gave priority to the issue and was convinced that it needed to be addressed from a transversal point of view. The number of women in the areas of IP development, research, and innovation should be larger. It had been encouraging a number of actions in WIPO in that regard for a period of time. The Delegation of the Republic of Korea had referred to some of them. It mentioned the project on Increasing the Role of Women in Innovation and Entrepreneurship, Encouraging Women in Developing Countries to Use the Intellectual Property System (document CDIP/21/12 Rev.) presented together with the Delegations of United States of

America and Canada, which sought to encourage women in developing countries to use the IP system. Further, at the initiative of Mexico, the CDIP was considering the issue of Women and IP for the first time, under agenda item 8. It hoped that as a result of that debate, useful ideas would allow WIPO Members to encourage greater participation of women and girls in IP. That was also the intention of the proposal contained in CDIP/22/16 Rev. WIPO had been working to better understand the role of women in IP. The Delegation thanked the Director General and the Secretariat for the presentations, which showed how committed WIPO was to the gender agenda. The figures were encouraging. Nevertheless, efforts needed to be redoubled to increase the participation of women and girls in the IP system. Obstacles to the empowerment of women had to be eliminated, their capacities and abilities ought to be encouraged, and the necessary tools should be provided for them to have access to the IP system and protect their inventions and creations. The IP system was a tool that encouraged social, technological and industrial development, which entrepreneurial women had used in the past and could use far more for the benefit of society at large. Mexico had programs that sought to bridge the gender gap, such as the Mexican Program for Scientific and Technological Development, which sought to develop the capacities of women in IP. A lot of work remained to be done. The Delegation was committed to continuing to move forward in order to achieve gender equality in all areas, including IP.

449. The Delegation of the United States of America requested that the Secretariat made its presentation available to Member States. Women constituted about 49.6 per cent of the world's population, about 50.5 per cent in the United States of America. They made critical contributions to the social and economic development and to the success of enterprises around the world. However, research clearly showed that women engaged in the IP system far less than men. For instance, in 2015, only 29 per cent of patent applications worldwide had at least one woman inventor and only 4.3 per cent came from women-only inventor entities, which highlighted the extent of the gender gap in international patent filings. The inclusion of women and other underrepresented communities was critical to achieving the full technological and economic potential and maintaining leadership in innovation. Toward that end, as a first step, the United States Patent and Trademark Office (USPTO) was studying the characteristics and trends of patents granted to female inventors. The USPTO's Chief Economist had authored a report which would be published shortly entitled "Progress and Potential: A Profile of Women Inventors on United States of America Patents." The report profiled women inventors on patents from 1976 to 2016 and examined the trends and characteristics of their patents. In the United States of America, the number of patents with at least one woman inventor had increased from about 7 per cent in the 1980s to 22 per cent in 2016. While the trend was promising, women still comprised a small minority of inventors, only about 12 per cent. Women's innovative potential was underutilized. The patent inventor gender gap persisted despite greater female participation in science and engineering occupations in entrepreneurship. Thus, in 2015 in the United States of America, women made up about 28 per cent of the total science and engineering workforce, but only 12 per cent of inventors on granted patents, which suggested a potential underutilization of highly skilled innovative talent. It had also been shown previously that the factors that prevented scientific professionals and entrepreneurs generally from becoming inventors disproportionately affected women. For instance, prior research had found that female scientists faced more difficulties securing funding and were more likely to lack social networks that could be critical to patenting and commercializing innovations. The USPTO report noted that women inventors were increasingly concentrated in specific technologies. For example, biotechnology, pharmaceuticals and organic chemistry and types of patenting organization, such as universities and public research organizations. That suggested that women were specializing in technology fields and sectors where female predecessors had successfully patented, rather than entering into male-dominated firms or fields such as mechanical engineering. The USPTO Report mirrored similar studies conducted by WIPO and other national IP offices around the world, including the United Kingdom and Canada. It also offered novel contributions in terms of methodology and findings. On October 31, 2018, the Study of Underrepresented Classes Chasing Engineering

and Science Success Act of 2018 or the Success Act had been signed into law. The Act directed the USPTO in consultation with the Small Business Administration, and other appropriate US Government agency heads, to conduct a study that identified publicly available data on the number of patents annually applied for and obtained by, and the benefits of increasing the number of patents applied for and obtained by women, minorities, veterans, and small businesses owned by women, minorities and veterans and provide legislative recommendations for how to promote the participation of women, minorities and veterans in entrepreneurship activities and increase the number of women, minorities and veterans who applied for and obtained patents. The USPTO was undertaking other initiatives to reach out to women and other underrepresented stakeholders. In 2017 and 2018, the USPTO had hosted a number of events throughout the country celebrating girls and women in innovation and creativity. The USPTO had also conducted a number of seminars, workshops and other educational and networking programs for women and girls focused on IP and its role in STEM and innovation. That program included Women's Entrepreneurship Symposium in Cincinnati, Ohio and Pittsburgh, Pennsylvania, a workshop on women in equity and patenting and innovation in Washington DC, and many other events throughout the United States of America that focused on women inventors and innovators and the importance of IP for innovation and creativity. At the USPTO, women had long played a vital role. Women comprised 36 per cent of the total workforce and 39 per cent of senior executives. The attrition rate for female patent examiners was very low, less than 5 per cent over 10 years, as compared with STEM jobs over the same period of time, which was about 50 per cent. At the Office of Policy and International Affairs, the top three leadership positions were held by women and approximately 63 per cent of all employees were female. In conclusion, more needed to be done to encourage the next generation of women inventors and entrepreneurs. The Delegation was fully committed to achieving equality for women in innovation for the benefit of all.

450. The Delegation of the United Kingdom was particularly pleased that the first discussion under the new agenda item on "IP and Development" addressed the important and cross-cutting topic of Women and IP. For its 2016 paper, the United Kingdom Intellectual Property Office had won a Research Award at the 2017 Global Equality and Diversity Awards for an outstanding example of research methods and insights into diversity and equality. That research used gender profiling into the number of females versus male inventors based on patent filings. The research concluded that since 1975, there had been a 500 per cent increase in the proportion of patents involving a female inventor and 400 per cent increase in the number of individual female inventors. In recent years, more than 25 per cent of all patents had at least one named female inventor and there was still a massive gender disparity with only 0.3 per cent of patents coming from all female teams. Although the historical analysis revealed increasing levels of female patenting, the growth rate was slow and the absolute numbers were still low, worldwide average standing at a mere 7.2 per cent of female inventors. Given the great names of British inventorship, such as Rosalynn Franklin working on DNA discovery, or Ada Lovelace, called the first computer programmer, the United Kingdom was keen to build on that work and support international exchanges to guide further research into evidence and causes and to support the engagement of women in IP. It welcomed further opportunities to discuss and share experiences of WIPO and those of other Member States.

451. The Delegation of El Salvador, speaking on behalf of GRULAC, thanked WIPO for the support provided and the organization of sub-regional meetings organized on gender equality as well as those entities which included women's empowerment in the area of IP undertaken within the region. The Delegation, speaking in its national capacity, supported its statement on behalf of GRULAC. It mentioned the five-year development plan for the period 2014-2019 "Productive, Educated and Secure El Salvador," which guided its political endeavors, and highlighted that the Government's hope was that by 2034, El Salvador would be a prosperous, equitable, inclusive, supportive, and democratic country which offered opportunities for well-being to all of its population. That was the vision for the following 20 years. Among the three elements necessary for the establishment of public policy, the gender issue was important

and had been established as a way of giving priority to women in specific actions. In the promotion of innovation in the use of IP, it had developed alliances with other institutions like the Social Inclusion Commission, the El Salvador Institute for the Development of Women and some associations of professional women, among others, in order to include the matter of IP in those programs devoted to the empowerment of women. A concrete example was the training of women in the area of IP in the Ciudad Mujer Project in the economic autonomy model and support for entrepreneurship. At the sub-regional meeting in Montevideo in November 2018, as it had been mentioned by the Regional Bureau for Latin America and the Caribbean, it had introduced the gender variable in its computer systems in order to identify women applicants and to break down the data and have information on the use of the IP system by women. By 2019, there would be an additional tool that would allow guiding actions with a view to encouraging the use of the IP system by women. Speaking on behalf of the Delegation of Uruguay, it subscribed to the statement made by the Delegation of El Salvador on behalf of GRULAC and thanked WIPO for the support provided for the organization of the second sub-regional meeting on IP, innovation, and gender equality carried out in Uruguay on November 12 to 14, 2018, in cooperation with the National Directorate of Industrial Property and the Social and Gender Committee of the Ministry of Industry, Energy and Mining. It entailed a step towards a greater interaction between gender issues and IP, and a greater participation of women in inventiveness and creativity, both regionally and globally.

452. The Delegation of Pakistan stated that women represented 49 per cent of Pakistan's total population. They were playing a crucial role of serving Pakistan with passion and commitment by their numerous contributions in various fields, ranging from medicine, sports, media, industry, banking, and science and technology. They constituted an integral part of the IP landscape in Pakistan. It was committed to harnessing the potential of IP assets to promote innovation, entrepreneurship and a knowledge-based society. In 2018, it had celebrated Pakistan's National Day at WIPO with WIPO's World IP Day theme of "Powering change: Women innovation and creativity" that showcased the work of Pakistani female innovators and entrepreneurs. It would also be participating as one of the pilot countries for the project on Increasing the Role of Women in Innovation and Entrepreneurship, Encouraging Women in Developing Countries to Use the Intellectual Property System (document CDIP/21/12 Rev.). National academic institutions were playing an essential role in encouraging women innovators and designers to compete in the market at local and international levels through the wise use of IP and the development of their own brands. Twenty-seven universities and research institutions in Pakistan had been linked to the World IP community under the TISC program, with active support of the Higher Education Commission and WIPO. A large number of female students and women entrepreneurs were encouraged through IP awareness efforts to register their creations with the Pakistan IP Registries. There were separate Chambers of Commerce and Industry in five major cities, and the small and medium development authorities had developed Women Business Incubation Centers at all offices around the country to advise women entrepreneurs. One of the leading universities for women would organize an Entrepreneurship Fair on November 29-December 1, 2018. The event would attract around 5,000 visitors and 70 exhibitors, including students, startup companies, women colleges, incubators, vocational and technical colleges, and established women institutions. The Founder of Pakistan, Mohammad Ali Jinnah, had stated that "no struggle can ever succeed without women participating side by side with men." Women's role in IP and development was a continuous process, and the global IP filings statistics showed that there were still miles to go before reaching the optimum destination. The Delegation expressed its commitment to work in that direction and urged WIPO and all Member States to join it.

453. The Delegation of Tunisia stressed the importance of the topic. It attempted to ensure gender equality at every level through parity. It congratulated and thanked WIPO for the activities organized to support Arab women, which were very useful. It encouraged other countries to enhance the efforts in this field.

454. The Delegation of Iran (Islamic Republic of) stated that the gender gap in economic activities had long been discussed by scholars and policymakers. Empirical studies and reports had provided evidence that insufficient women participation in economic activities slowed down economic growth and development. National development strategy greatly depended on how society provided opportunities to allow women talents flourish and took advantage of their skills, knowledge, and productivity. It attached importance to women matters, including enhancing their social and health status and involving them in the development activities. That issue had priority and had an important place in national development plans. There were a number of national laws on women's empowerment matters in its jurisdiction. The primary objective of that legislation was to bring about advancement, development, and empowerment of women in the Iranian society. Higher education was one of the most important means of empowering women in innovative areas. Its policies demonstrated significant progress in educating girls and women. At that time, 50 per cent of the university students in the state universities (the most qualified universities) were female. The trend of incorporating women's affairs in economic, social, cultural, and political development plans showed an upward trend in recent decades. Its cultural diversity and heritage provided fertile ground for developing the creative industries for women. The country had a diversity of art forms and different styles of music and performance. Women constituted a high percentage of geographical indications producers as well. Positive changes had also occurred in the contribution of Iranian women to scientific work and the number of publications by women authors. Although women participated less than men, the percentage of women inventors had an upward trend over the previous years. About 12 per cent of the registered patents in the country belonged to women. In addition, 60 per cent of the staff of the Iranian IP office were female experts, which exhibited the important role of women in the functioning of the IP system. Women empowerment in SMEs, as an appropriate solution in empowering the skills and ability of Iranian women, was being undertaken by a relevant organization as a matter of priority.

455. The Delegation of Guatemala supported the important initiative of incorporating the gender equality principle in inclusive economic development. Women had a positive influence on innovation and economic growth. There were gender gaps in society reflecting inequality between men and women, which could be seen in patent applications, where most inventors were men. It was trying to develop women's skills specifically in the area of IP. The Ministry of Economy, through its Gender Division, had made important efforts on gender equity allowing greater participation for women. At that time, it was working on a national policy for the promotion and comprehensive development of women. The aim of those tools was to strengthen the areas of training for women.

456. The Delegation of Lithuania, speaking on behalf of the CEBS Group, considered women empowerment pertinent to economic development. Women empowerment in IP was becoming even more urgent in times of the fourth industrial revolution and rapid penetration of new technologies and artificial intelligence into the economy and daily lives. Both aspects mattered: ensuring equal access of women and men to STEM (science, technology, engineering and mathematics) as well as encouraging women to patent their inventions, register their trademarks, or use the IP system in some other way. There was a need for better understanding on the barriers preventing women from more active engagement in IP in order to elaborate ways to address them.

457. The Delegation of Gabon stated that the fight against discrimination against women was an overriding concern in Gabon. From 2005 to 2015, it had introduced a Women's Decade sharing platform, not just to promote women as a whole in Gabon, but also to defend IP law. The Proposal on Women and IP presented by the Delegation of Mexico supported its concerns to enhance the status of women. It wished to see WIPO and Member States introducing more measures and programs to involve females in IP matters.

458. The Delegation of Australia was pleased that the first topic under the new agenda item on “IP and Development” was focused on gender equality and empowering women. It shared insights into its efforts to realize those outcomes and the common challenges faced in further unlocking the potential of women to participate in IP and innovation systems. With data having the potential to predict and provide the engine fuel for economic growth, it was pleased that its data was starting to show that the disparity between gender participation was slowly closing in IP and innovation. It was pleased that women in Australia were increasingly engaging in entrepreneurship. A 2017 survey of 7,000 start-up founders and future founders reported that 25.4 per cent of founders were females, which was an increase from 16 per cent in 2011. In relation to IP, the number of Australian female inventors listed on patent applications had increased between 1980 and 2016. In the area of pharmaceuticals and chemistry, the percentage of female inventors had grown from less than 10 per cent to more than 40 per cent between 1980 and 2016. Meanwhile, in biotechnology and organic fine chemistry, the percentage of female inventors had grown from being less than 20 per cent in 1980 to more than half in 2016. However, there was still work to be done to improve women’s participation rates in IP. In civil engineering, just over 10 per cent of inventors were women. Examining the causes of female lower involvement with IP and, more broadly, STEM, was a complex task. A report from Australia’s Chief Scientist in 2016 found a host of varied reasons, including gender biases in perceptions of who could be an inventor, pay gaps, age, education, family status, cultural background and caring responsibilities. In recognition of those challenges and that more work needed to be done, it had developed a range of initiatives to encourage women in STEM, including: A Women-in-STEM Ambassador who would build visibility for gender equality in STEM; a Girls in STEM Toolkit to help school-age girls understand what a STEM career could involve and assist them to match their interests to a STEM career; a Women in STEM Strategy which would help coordinate the Australian Government’s efforts to increase women’s participation in science and technology; and the Women in STEM and Entrepreneurship Program which supported businesses, non-for-profits and research organizations by providing funding to support outreach programs aimed specifically at helping girls and women pursue careers in STEM. It was committed to supporting Aboriginal and Torres Strait Islander women engage with IP systems and become innovators. Australian initiatives in that area such as Dream Shield were highlighted at the MIKTA event. It was committed to reducing the gender gap in IP internationally. It highlighted the work undertaken through the WIPO-Australia Funds-in-Trust initiative. It encouraged balanced gender participation in projects, conferences and workshops, with the target participation rates for women being at least 50 per cent. Under the project “Women and IP Commercialization in Asia,” a regional workshop had been hosted in the Philippines, bringing together women researcher and innovators from Cambodia, the Philippines, Indonesia, Sri Lanka and Vietnam to discuss opportunities for women and IP commercialization in their countries. While women were prolific in research and inventive activities, the aim of such workshops was to address the current underrepresentation of women commercializing their research. The meeting had been well received by participants and highlighted the need for women role models, mentors and networks to increase and encourage the participation of women in IP. It looked forward to continuing the discussions and advancing gender equality in IP.

459. The Delegation of India was glad to hear that one of the speakers had mentioned Ms. Kiran Mazumdar-Shaw of Biocon, one of the largest pharmaceutical companies of India. It was pleased to highlight that the share of Indian women inventors in patent applications filed was 28.3 per cent. It gave high importance to gender equality and stressed the role of women in the field of IP. The Government of India had initiated the Women Scientist Scholarship Scheme (WOS-C) for providing opportunities for women scientists who desired to return to mainstream science and work in the area of IP rights. The objective was to empower talented and skilled women who had studied science, engineering, medicine and aligned areas to contribute effectively in the advancement of science and technology in the country, to train talented and meritorious women in laws related to the protection of IP, management of IP, determination of novelty and originality of IP as certain patent ability inventions such as databases related to

patents and other aspects of IP. This would enable them to seek specialized employment or be self-employed. WOS-C had a program to train women with qualifications in science, engineering, medicine or aligned areas in the area of IP management for a period of one year. The scheme was being implemented by Patent Facility Centers (PFC) of technology information for costing and assessment counseling. About 500 women had already been trained under that scheme, out of which 200 had cleared the patent agent examination conducted by the Indian Patent Office; 60 per cent of those women were pursuing their career in the area of IP; and some of them were self-employed entrepreneurs.

460. The Delegation of Austria, speaking on behalf of the EU and its member states, stated that it had always been supportive of the rights of women in general and, consequently, in the sphere of IP. Thus, it was interested to share experiences and learn about ideas and activities that aimed to empower women to make full use of their creative and inventive capacity. It had already seen some of those ideas in activities organized by MIKTA countries. Equality between women and men was a priority of the EU. Successfully commercialized innovations from female inventors and entrepreneurs would not only contribute to full empowerment of women and girls but also have a lasting impact on societies as a whole. In that sense, promoting and supporting women to make successful use of their creativity would implicitly contribute to achieving the goal of full gender equality. It was very eager to constructively contribute to discussions regarding women and IP.

461. The Delegation of Brazil pointed out that Mexico, Canada and the United States of America had shown great leadership in relation to this topic. According to an OECD report, those three countries were among the best ranked OECD members in relation to inclusive women policies. The Delegation recalled that it had been a strong supporter of the topic of women and IP and the proposal by the Delegation of Mexico.

462. The Delegation of Switzerland stated that Swiss women constituted about half of the population and were well engaged in socioeconomic life. Many efforts were done to provide equal opportunities for women and men in different social, cultural and economic fields. In spite of considerable improvements, however, the optimal balance had not yet been reached. The IP field was no exception. Data was not available on certain fields of IP, but the gender-based indicators in PCT applications clearly showed that on average there were less women inventors. Only a few countries had reached or came close to a balance of number of men and women inventors. However, those statistics did not necessarily imply that the IP system in itself had gender-related problems. In all probability, the general, social and cultural hurdles lied at the root of the gender imbalance, which in turn, manifested itself in different aspects, notably in the IP field. Therefore, the root of the problem ought to be searched outside of the IP system and efforts to solve it would go beyond IP-related issues. Statistics on PCT applications showed that the number of women inventors in some technological and mechanical fields was much lower. In the case of Switzerland, that was due to the fact that a lower number of women chose technological, mechanical and scientific majors for their studies at high school and university. During the past two decades, various measures had been adopted to facilitate equal opportunities for women in education and research such as special research grants and funding schemes. As an example, since 2000, it had launched a series of programs aiming to create equal opportunities in education for women. The statistics showed considerable growth and improvement in the number of women who chose technological and mechanical fields for their studies. Simultaneously, the share of Swiss women inventors had also grown from 16 per cent in 2000 to 28 per cent in 2017. The number had nearly doubled in 20 years, which put Switzerland in fourth place worldwide in terms of reducing the gap between the number of men and women inventors. Those statistics could indicate a correlation between the adopted measures to encourage more women to select technological studies and the increase in the number of women inventors. A study in Switzerland also suggested that SMEs with mixed inventor teams of men and women, as well as female-only inventor teams outperformed SMEs with men-only inventors. That could indicate a relation between more contribution by women

from one side and more efficiency in performance on the other side. Women ought to be more involved in using the IP system. Based upon its own national experiences, it supported the adoption of practical and efficient measures to facilitate and accelerate participation and engagement of women in using the IP system.

463. The Delegation of China referred to data published at the World IP Day 2018 showing that women played an increasingly important role in innovation and creation. However, the gender gap still remained. Increasing the capability of women in innovation had significance in raising the overall awareness of the issue and in moving the national global sociocultural and scientific development forward. It could also help to implement the SDGs in relation to gender equality and innovation. There was a Chinese saying: "Women can hold up half the sky," which meant that women's role was indispensable for family, society, development, and in strengthening the nation. The national constitution had a principle of gender equality and that equality was a fundamental policy for the development of society. It constantly improved laws and regulations, public policies, and development plans to move gender equality and empowerment of women forward. In the innovation and IP areas, China provided women innovators with an open and fair space. Both the Government and enterprises carried out thematic activities to encourage women to participate in innovations and to use IP. Examples included various forums and competitions on the subject. It also actively participated in global forums for women, including the Global Women Leadership Summit and the Global Women Innovation Summit. The data published by WIPO on the occasion of the 2018 World IP Day showed that among the PCT applications from Chinese nationals, 48 per cent were women innovators. Women were becoming increasingly proactive in that area in China. At the CNIPA, women staff members covered 50 per cent, including examiners. There was still a lot of work to do as well as room for improvement. It was ready to listen to other Member State initiatives and achievements. It urged to cooperate to promote women's development.

464. The Delegation of Egypt expressed its gratitude to the Director General and the Secretariat on their efforts in bringing that important topic to the CDIP agenda, in particular the one of the Arab Bureau, which reflected the Bureau's efforts aimed at enhancing IP tools on the national level in Egypt and other Arab countries.

465. The Delegation of Chile stated that the empowerment of women and gender equality were central in Chile. It was working at the ministerial level in order to empower women. Among its initiatives, a television program organized by the National Institute for IP discussed IP and presented women innovators and creators in Chile. It provided statistical information on women patent applications and great Chilean authors. That topic was one of the priorities for 2019 when Chile would host the APEC Summit, where Women and the Inclusive Society would be one of the main themes. It hoped that it would encourage more intense and a greater participation of the innovators and creative women and increase the participation of women in non-traditional areas.

466. The Delegation of Ecuador was committed to the full and fair participation of women in society and recognized the value of their presence in various areas. It sought to promote economic development. It stressed the importance of the issue of women and IP in the CDIP and it reiterated its support for the proposal by the Delegation of Mexico. The participation of women and girls in innovation and creative activities was extremely important for the development of societies. Within the important sector of coffee production the majority of the workers were women. A 2017 report by WIPO had recognized the importance of producer countries in the development of intangible values. Ecuador had aimed at increasing productivity and carrying out a structural change in order to develop intangible assets, which were closely linked to the status of women. WIPO's contribution would continue to be fundamental.

467. The Delegation of Nepal stated that, to ensure that no one was left behind, as envisioned by the 2030 Agenda for Sustainable Development, it was critical to promote innovation and

creativity. In Nepal, IP rights were guaranteed as fundamental rights in the constitution under the rights relating to property. The constitution also ensured the rights of women as fundamental rights. It had elaborated the idea of creating an inclusive society through promotion of women empowerment, social justice, as well as development of entrepreneurship. Women in Nepal played an important role in the creation, preservation and promotion of traditional cultural knowledge. The government of Nepal had introduced a national IP policy in 2017 to enhance innovation and creativity and achieve socio-cultural and economic development. Policies and initiatives had embraced gender equality and women empowerment as cross-cutting issues. A gender responsive body was in place since 2007. Various programs for women development, especially the President Women Uplifting Program, had been implemented for women empowerment through capacity development and training. It had made remarkable progress on the legal and institutional front for women empowerment and gender equality. Gender parity had been achieved in all levels of education, thus stimulating a multiplied effect on women empowerment and realizing the SDGs. Impulses had been given on access to science and technology education, particularly for women and girls. Almost half of the population was female. Nepal ranked among the top countries where women represented the highest in the Parliament and elected bodies. Around 41 per cent of women were elected to the local bodies in 2017. The constitution guaranteed that there would be at least 33 per cent of women representation in the Parliament. Women participation in the private sector was growing. The umbrella organization of all the private business communities of Nepal, the President of Nepal's Chamber of Commerce and Industry (NCCI) was headed by women. The Government of Nepal had also taken various affirmative actions to empower women to ensure their participation in the state mechanism. There were around 23 per cent of women in the civil service and over 30 per cent in teaching services. It had set up a National Commission for Women as a constitutional body to take up issues relating to the protection, preservation and monitoring of women's rights. The cooperation sector was an important pillar of Nepal's economic development, where more than half of members were women. They had encouraged financial inclusion, microenterprises, market access, healthcare services, energy access, and learning opportunities at the local levels. The number of women in the business sector, especially in MSMEs, had been increasing. As per a report, about 10 per cent entrepreneurs were women in Nepal, and there were more than 14,000 SMEs owned by women entrepreneurs. The Government, in partnership with UNDP, had been implementing microenterprise development programs focusing on women in rural areas. It had encouraged women entrepreneurs through skills and capacity promotion as well as trainings. Youth entrepreneurship programs were carried out to boost industrial, technological, and market promotion activities. Women and IP was certainly a pertinent agenda. WIPO should promote skills, entrepreneurship and innovations which were key to empowerment. It needed to strengthen further capacity for developing comparable and disaggregated data on the gender of IP rights owners and creators, including in LDCs. It urged the CDIP to continue to take up that agenda to accelerate women empowerment and all-encompassing development. It thanked the Delegation of Mexico for the proposal contained in document CDIP/22/16.

468. The Delegation of Japan was aware of the importance of the discussion about women and IP and thus intended to contribute actively. "Creating a Society in which all Women Shine" was one of the defining policies of the Government of Japan. Under that policy, the Government was working to support more women to participate in society. The "Contest to Support Women Entrepreneurs" was one of the approaches for creating a network that supported women to allow them to balance family and work. The project supporting female researchers, which the Ministry of Education, Culture, Sports, Science and Technology had been advancing since 2006, had achieved great results. The turnover rate of female scientists had decreased remarkably, while the percentage of female researchers had rapidly increased. On April 26, 2018, the WIPO Japan Office (WJO) had held an event celebrating World IP Day at the UN University in Tokyo. The WJO had organized the event featuring three outstanding female innovators as guest speakers: Ms. Liping Shen, Head of Hitachi Chemical Co. Ltd.'s Research Institute for Advanced Technology, had talked about the firm's internal processes and systems

that had helped the company achieve the highest ratio of female inventors listed in Japanese PCT applications. It was strongly committed to empowering women in the creative sector, and would continuously participate in the discussion of that topic.

469. The Delegation of Algeria stated that strengthening women's role in the field of IP was essential, considering the importance of women's participation in national progress. Women had constantly shown their ability to innovate. Mechanisms which brought about equality between both genders had to be enhanced, and women should be helped to overcome obstacles to help achieve SDGs.

470. The Delegation of Morocco, speaking on behalf of the African Group, expressed that the discussion had to be considered from two points of view. First, the point of view of the Secretariat, namely enabling staff in WIPO to consider women and IP and the gender perspective. That reflected activities within the organization, because equality was not numerical but also intellectual and related to skills. In fact, to enable women to rise to the highest levels within an organization was essential. The second perspective referred to women's contribution in IP fields. That concerned the countries themselves. It required a greater awareness of IP among women, and was connected to educational levels as well as the degree of countries' involvement in encouraging IP. The mechanisms, such as technical assistance and skills enhancement, or comprehensive and participative approaches aimed at achieving goals, were essential. Those could help to promote the role of women and uphold their rights. Bilateral cooperation and regional cooperation could play an important role and contribute to raising the levels of IP awareness by women. It commended the efforts of WIPO such as those undertaken by the Arab and African Bureaus. It hoped that those would be continuously supported.

471. The Secretariat (Ms. Cornelia Moussa) was grateful for the overwhelming words of support and encouragement and for sharing best practices in various countries. Member States had made a number of proposals where WIPO could do more to advance the gender agenda, such as research, training, data collection and reporting. The Secretariat would consider them carefully and assess how to best take that agenda forward in the future.

472. The Ambassador of Mexico stated that the discussion had provided a very positive framework for moving towards the adoption of the proposal contained in document CDIP/22/16 Rev. It informed that it had undertaken consultations with almost all CDIP Members in order to adapt the language of the proposal. The text was very simple, and had three parts. The first part recalled the decisions already approved by the international community. The second concerned areas where Member States could undertake activities in order to encourage and foster the increased participation of women. The third part included a number of actions that could be undertaken by the WIPO Secretariat. The decision would allow to continue to work in an area where there was still a lot to be done. The Delegation had received some additional observations and would produce a new version to reflect them. It requested those delegations that had any further observations on the proposal to communicate them in order to reflect them accordingly. It concluded by expressing that it was encouraged by the debate.

473. The Chair concluded the discussion on the topic Women and IP. He informed Member States that the Committee would consider a revised version of the Proposal by Mexico on Women and IP at the session of Friday afternoon.

## **AGENDA ITEM 6(I): WIPO TECHNICAL ASSISTANCE IN THE AREA OF COOPERATION FOR DEVELOPMENT (resumed)**

### Interactive Dialogue on Technical Assistance

474. The Chair recalled that the 21<sup>st</sup> session of the CDIP had decided to convene an interactive dialogue on technical assistance, in the context of discussions on the establishment of a web forum on technical assistance. The discussion built upon the Round Table on Technical Assistance and Capacity Building held at on the margins of the 19<sup>th</sup> session of the CDIP, as well as the compilation of WIPO Existing Practices, Methodologies and Tools for Providing Technical Assistance presented at the 21<sup>st</sup> session of the CDIP (CDIP/21/4). The Secretariat had prepared a concept paper, with the aim to encourage Member States participation in the discussion, and to give structure to the interactive dialogue. The concept paper also offered suggestions that the presentation of Lead Participants be structured around the forming of basic information about the IP office, recent experience with regard to delivering and/or receiving technical assistance, nature of technical assistance delivered and/or received, methodologies, tools and practices used, success stories on technical assistance and lessons learned. Each regional group had been invited to nominate one country to participate as Lead Participants. The Chair expressed his appreciation to the Delegations of the United States of America from Group B, the Republic of Korea from APG, Ms. Yuan Qi from China, Peru from GRULAC, and South Africa from the African Group for their contribution as Lead Participants. The presentation from lead participants would trigger and stimulate the interactive dialogue. He encouraged all Member States to engage in the discussion and participate actively after the presentations. WIPO relevant staff was present to provide clarification or additional information during the session, if requested. The Chair then opened the interactive dialogue on technical assistance and wished for a fruitful and meaningful discussion.

475. The Delegation of the United States of America, Lead Participant nominated by Group B, made a presentation on the USPTO's technical assistance and capacity building activities. The USPTO's mission was fostering innovation, competitiveness and economic growth domestically and abroad by delivering: (1) high quality and timely examination of patent and trademark applications; (2) guiding domestic and international IP policy; and (3) delivering IP information and education worldwide with a highly skilled diverse workforce. The USPTO was an agency of the Department of Commerce. It had around 13,000 employees and an annual budget of just over three billion US dollars. The Office of Policy and International Affairs employed around 100 people, mostly attorneys. With respect to IP technical assistance and capacity building, the USPTO provided IP educational and training programs both to improve IP laws (substantive patent, trademark and copyright laws) and their administration around the world. It had been doing technical assistance and capacity building or IP education for about 50 years, but that was only formalized in 2005 in the Global Intellectual Property Academy (GIPA), a facility at headquarters in Alexandria, Virginia. GIPA had grown in terms of number and diversity of programs over the years. There were capacity building programs at the USPTO and overseas. Any program, for instance in Mexico, Costa Rica or Thailand, was branded "GIPA Program." It also did a lot of domestic education for US businesses, SMEs, as well as universities. In 2017, it had conducted approximately 150 training programs with 7,000 government officials and US stakeholders, domestically and internationally. Training and outreach, capacity building and training programs at the USPTO and overseas were designed by the Office of Policy and International Affairs Policy teams. Substantive IP teams (the Patent Team, the Trademark Team, the Copyright Team and the IP Enforcement Team) were involved, as well as a separate China team. Those were comprised of attorneys who had spent the most of their career in the fields. In the Patent Team there was a number of former patent examiners. It had some from the outside who might have never been examiners but had substantial experience in patent law. The Trademark Team was similar. Around 50 to 60 per cent of the Copyright Team was formed by people from the Copyright Office or who had spent some amount of time at the US Copyright Office. The Delegate was in the IP Enforcement Team at Headquarters. His background was

in customs. He had spent 12 years in US Customs (later Customs and Border Protection) working on commercial fraud, a subset of which was IP enforcement. Some had been in the industry working on IP enforcement and others had come from other areas of the USPTO. There were former trademark and patent examiners that had blended into the Enforcement Team to share an overall experience level. In the four substantive teams, the attorneys were assigned out or had collateral duties on the regional teams. There were ASEAN, China, Russia and Commonwealth of Independent States (CIS), Europe, the Indian Subcontinent, Latin America and Mexico, Middle East and North Africa and Sub-Saharan Africa. They all did double or triple duties, sometimes not only focusing on US domestic policy with respect to their substantive area, but also participating in the regional teams. A lot of the technical assistance and capacity building was developed by the regional team. The IP Attaché Program had been in existence since 2006. Before that, USPTO recognized the importance of having IP experts posted overseas. Actually, the first attaché was posted in Geneva during the Uruguay Round, in the early 1990 for negotiating the Agreement on Trade Related Intellectual Property (the TRIPS Agreement) issues. It saw how beneficial it was to have somebody in the field rather than flying over from Washington. In 2006, the USPTO moved into placing somebody in China because that was a country of high importance for the US. Attachés promoted US Government IP policy internationally. They helped secure high standards in international agreements and host country laws and conducted trainings and outreach activities. The attachés had as part of their responsibility to organize technical assistance and capacity building programs. They also encouraged effective IP protection enforcement by US trading partners for the benefit of American stakeholders. Some companies had difficulties understanding the Mexican or the Honduran IP system and the attachés job was to help them understand that. There were approximately 13 attachés. Some of those posts were vacant. There were three in China (one in Beijing, one in Shanghai and one in Guangzhou), one in Thailand, one in India, one in Kuwait City covering the Middle East, North Africa and to some extent sub-Saharan Africa, there were two attachés in Geneva (one covered WIPO and the other covered the World Trade Organization (WTO)). There was a recent addition to the EU in Belgium and it would be placing somebody in Ukraine shortly. There was somebody in Peru covering the Andean countries and one in Rio de Janeiro covering the Mercosur countries (Argentina, Brazil, Uruguay and Paraguay). It had a pretty far reach, despite the number of people. Around 95 per cent of the attachés were from the Office of Policy and International Affairs. From time to time, it did hire people from the outside with significant IP experience, whether it was patent, trademark or copyright or a holistic resume. The website [usipr.uspto.gov](http://usipr.uspto.gov) had a calendar of planned and past activities sorted by subject area and region. It surveyed attendees through the survey registration link. The agencies could also feed information into that. It was not the case that the USPTO was conducting a Border Enforcement Training Program in Santo Domingo and then a week later the Department of Homeland Security or Customs and Border Protection was doing a Border Enforcement Program in Santo Domingo. There were efforts to coordinate, even though there was some overlap from time to time. Over the past six months, it had done a Plant Variety Protection Program in Japan and an Interpol-USPTO Combatting Illicit Goods Program in Poland. It was trying to develop those as regional programs because there was a lot of benefit to getting the people in a room to start networking and talking to each other. Customs officers from a region could build important networks because what came into one country and might transit through to another country was going to be that other country's problem. Those connections had to be made. Regional programs were the best way to get the message out. A Madrid Protocol Implementation and Application Program in the Middle East-North Africa had been held in Egypt. A Counterfeit Agriculture Chemical Program had been held in Mercosur countries, just as a Patent Examination Program in Kuwait, and Trademark Examination Programs in El Salvador and Costa Rica. Judicial workshops were important because judges were the end part of the equation and if they did not understand IP law and the importance of IP protection and enforcement, then no matter how many cases the police investigator and the prosecutors brought charges on, if the judges did not understand it, the cases went nowhere. It was trying to focus on the judiciary as much as possible. Those programs were typically just with judges, whereas the other programs had a more holistic approach, starting with customs,

then police and prosecutors. Judges were unique and they preferred to be in a room with other judges and not prosecutors and police officers. That posed challenges, but it had worked through them in various ways. It had also done a Public Prosecutor Program in Thailand, a Trademark Examination Best Practices in Rwanda, a workshop on Digital IP Infringement in Lima for the Andean countries and a Tech Transfer workshop in Egypt. That was a small snapshot. At the USPTO, the Enforcement Team did not have enforcement authority. The USPTO reached out to partners, some of which were IP law enforcement coordinators under the Department of Justice, in the Office of Overseas Prosecutorial Development Assistance and Training (OPDAT), positioned in a lot of places as the attachés. The numbers were growing and they focused more on the criminal enforcement of IP. It also partnered with the Department of Homeland Security (DHS), whether it was DHS Investigations, or Customs and Border Protection, depending on the type of program. For instance, for counterfeit food products or counterfeit medicines, it might partner with the Food and Drug Administration (FDA) or the Environmental Protection Agency (EPA). It also partnered with the US courts. Judges were very important, especially for judicial colloquiums. In the region of Mexico and Central America, it tried to get native speaking Spanish judges either from Puerto Rico, Miami or other places in the United States of America. It partnered quite a bit with the Federal Bureau of Investigation (FBI). The FBI had a slightly different mandate than DHS investigations as it was topic specific. Making those programs demand driven was a challenge. There was no use setting up a program in Guatemala just because Guatemalan customs or police would find that information useful. The idea was to go out and talk to counterparts and get a sense from them what their interests and needs were. It tried to encourage them to be demand-driven, as the starting point. Moving on and trying to get the US Government all in one frame of mind on what it wanted to do was also challenging. It had implemented a number of procedures that helped move that process through. Typically, there was a period of one to three months from the development of the idea to reaching out and actually delivering the program. A number of times, there were very short windows of opportunity to conduct those programs. In the Middle East-North Africa, Ramadan shut everything down at a particular time of the year. The fiscal year ended at the end of September and started at the beginning of October but it might not have funding until late October and then there were the holidays. All those things had to be taken into consideration. Good organization played an important role. Another challenge was the turnover of staff. It was not so much the case in the US Government although it did happen, but people moved positions and locations quite frequently in some countries. There would be a class of customs inspectors out in the field and later another regional program would be done somewhere else and half of that class would have since moved on to another agency. Turnover of personnel was always a challenge. It had no control over that. Another challenge was oversaturation. Often it was the same people attending the events. It was hard to identify those people in advance and hard to tell them politely that they had been at that program six months or two years before. It wanted to open it up to somebody else because maybe that was their function at the time. Oversaturation of training was a challenge but it tried to keep trainings as interesting and varied as possible. It trained prosecutors, police, judges, trademark examiners, patent examiners, even on enforcement, on counterfeit pharmaceuticals, counterfeit agricultural products, and investigations in the digital environment. It used its own technical and legal experts. In any program, whether it was at the GIPA in Alexandria, or overseas, it used its own talent, i.e. people from the Trademark, Patent, Copyright and Enforcement teams because they had the latest information on US policy and legal updates. Other agencies in the US Government would contract out to professional trainers to deliver their training. However, in doing so, there was a loss of coherence in messaging. Trainees were not getting the same message. It really tried to avoid teaching on the US law or the US practice because in Rwanda or Kazakhstan or Ukraine, that did not do any good. It rather focused on training on international best practices, for example, relying on Article 4 of the TRIPS Agreement on enforcement or the revised Kyoto Convention at the World Customs Organization. It did explain the US system and showed some of the benefits and challenges faced.

476. The Delegation of the Republic of Korea, Lead Participant nominated by the APG, presented the Republic of Korea's experiences of delivering technical assistance. The Korean Intellectual Property Office (KIPO) was the government agency responsible for the administration and processing of patents, utility models, trademarks, industrial designs and new IP. There were around 1700 staff members employed at KIPO, including 843 patent examiners and 157 trademark and design examiners. There were two aid organizations: (1) the Intellectual Property Trial and Appeal Board and (2) the International Intellectual Property Training Institute. Regarding technical assistance, KIPO had been working with WIPO mainly through the WIPO-Korea Funds-in-Trust since 2004. The WIPO-Korea Funds-in-Trust aimed to build IP capacities, increase IP awareness and improve quality of life in developing countries. Under the WIPO-Korea Funds-in-Trust the project implemented was on IT competitions. IT competitions supported students and inventors in developing countries by showing them how to utilize patent information in order to devise technological solutions to problems in their local community. That was the process of IT competitions. Once the agenda of IT competition was confirmed, the competition was promoted by the national IP office of hosting countries, media and related organizations. A workshop was held at the beginning of the competition to provide information about the competition's purpose, schedule, evaluation criteria, etc. Competition submissions were evaluated and three final lists received medals and certificates from WIPO and KIPO. The first-place winner with the best submission would be given the opportunity of a study visit to the Republic of Korea in the following year. Competitions had been hosted 16 times in 12 countries around the world from 2011 to 2017. In 2017 competitions were consecutively held in four Latin America countries, which gained a lot of local media attention. In 2018, KIPO was in the midst of holding IT competitions in the Dominican Republic and Vietnam. The Dominican Republic had hosted IT competitions for three consecutive years including 2018. Under the theme Innovative Solutions for Everyday Life, students, inventors and researchers focused on using the patent database for their ideas in the agricultural area. The IT competition raised awareness of developing countries on IP and enabled sustainable development by allowing local residents to find solutions to problems in their community. Every year countries were showing increased satisfaction as the recipients of the competition and there was a growing number of countries requesting to host an IT competition. It was very important to have a country's active and elaborate participation in order to host a successful IT competition. Together with WIPO every year, KIPO also invited examiners and IP experts from developing countries to participate in a training course on patent law and IP rights for the purpose of enhancing their knowledge and skills. Another project was the WIPO Korea Summer School. It invited university students interested in IP rights and young professionals from developing countries to enhance their awareness of IP. The main objective of the summer school was to provide opportunities to gain deeper insights into IP issues and tools for IP management and learn about the role and functions of the global IP system. Uniquely to the summer school in Korea, the curriculum utilized an interactive teaching method by offering all course materials through tablet PCs. The outcome of that training course was that the participants felt that the lecturers were competent, expressing very high satisfaction with the level of communication with the lecturers. However, the challenge to that Education Training Program was that despite high interest in those countries, only a certain number of participants were invited in each course due to limited resources. To solve that problem, the onsite tailored training course on IP, which aimed to offer a customized IP Training Program for each participating country would be launched in the near future. In 2005, KIPO also in collaboration with WIPO, had developed the e-learning education tool, IP Panorama, to increase awareness of IP issues from the business perspective. IP Panorama was available in 24 different languages, including Korean and the six UN official languages. In 2010, through the collaboration of WIPO, KIPO, the Korean Advanced Institute of Science and Technology and the Korean Intellectual Property Association, IP Panorama had been adapted into an annual International Training Program known as Advanced International Certificate Course (AICC). The AICC began with an online course with IP Panorama. Once the online course was completed, the participants wrote an essay based on the course content. Essays were evaluated by WIPO and those showing excellent performance were given an opportunity to

participate in the offline course held in the Republic of Korea. For four days, participants learned about IP from a business perspective and shared ideas with IP experts, lawyers, scientists and government officials and developed global IP utilizing capacities. With regard to outcomes, the program continued to see an increased number of participants. By 2018, there were twice as many participants, both online and offline courses, compared to 2010. To include up-to-date business cases, a renewal process was scheduled for 2019. Regarding technical assistance activities in the field of copyright, the Ministry of Culture, Sports and Tourism (MCST), in charge of copyright and content policies and administration, had established three Funds-in-Trust with WIPO since 2006. The areas were: (1) enhancing the copyright system; (2) building respect for copyright; and (3) promoting alternative dispute resolution measures. MCST and WIPO were jointly working prolifically for numerous activities that would enhance the development of the national and international copyright system and benefit the copyright and content industry as a whole as well as support the copyright exploitation by rights holders.

477. The Delegation of South Africa (Mr. Marumo Nkomo) the Lead Participant nominated by the African Group, highlighted some of the key initiatives around technical assistance and capacity development that the South African Government had undertaken in collaboration with WIPO. It also shared some key lessons and findings garnered from its perspective. It gave an overview of how IP policy and law was formulated and administered in South Africa. Within the executive, there were 12 ministries that had some engagement, even tangential, with IP-related issues on a day-to-day basis. When beginning to formulate the IP policy in 2016, which was approved by the Cabinet in May 2018, it had identified the need to ensure coordination and policy formulation and administration of IP and hence had established the Inter-Ministerial Committee on Intellectual Property (IMC), chaired by the Department of Trade and Industry. The IP office was the implementing authority for policy established and developed through the Ministry of Trade. There was a broad variety of ministries that formed part of the IMC, including, for instance, the Department of Science and Technology, which was a key partner. One of the important initiatives that took place in cooperation and coordination with WIPO was in 2016 when the IMC had been established, it had arranged a capacity building workshop. Various institutions from the trilateral cooperation between WIPO, the WHO and the WTO came to South Africa and administered a training course to ensure that there was a common understanding on the various IP principles among the ministries because in as much as the Trade Ministry, Science and Technology Ministry and some other ministries might have very strong day-to-day interaction with IP, that was not common across the boards. There was a need then to ensure that there was a basic common understanding and that was a very useful initiative that contributed to the sustainability of the initiatives undertaken by the IMC. One of the key findings was that technical assistance, in the absence of capacity building, was not sustainable because for technical assistance to have an impact there needed to be absorptive capacity, which was very important for the sustainability of the projects going forward.

478. The Delegation of South Africa (Ms. Nomonde Maimela), continued the presentation by introduced the CIPC. Unlike most of the IP offices, the CIPC had another element that dealt with regulating companies. At the head of the institution was the Commissioner, and in the Intellectual Property Division the section on Innovation Support and Protection dealt with patents and designs. That unit was capacitated with 44 employees. It was not a very big office. Another section was called Creative Industries which composed of copyright, IKS and IP enforcement. It had only 13 employees there. There was a section that dealt with innovation policy and outreach that liaised with the department in terms of policy coherence. It had been doing formalities only in terms of patent applications but for three years it had been training substantive search examiners to start with the Substantive Search Examination Program. Sixteen examiners had been trained. It had started the process of recruiting 30 more examiners in 2018, who would start the program in 2019. The 16 examiners involved in the program finished their training and they were practicing. It hoped to reinforce the numbers of examiners going forward. There were many technical assistance and capacity building programs run in South Africa. It ran a summer school every year which was well received and well attended. In

November 2018, there was a Respect for IP International Conference which was well attended and well received. Approximately 80 countries were represented, with about 400 participants. That conference in itself played the role of building both awareness and capacity. It had partnered with WIPO, Interpol and the World Customs Union and delivered a successful conference. It received capacity building from WIPO and most of the IP offices had assisted in building and starting that program. It was just waiting for the legal processes to unfold to be able to implement that legally. Regarding the methodology used, there were workshops of various duration, depending on the subject matter. An Examiners Workshop on the Patent Cooperation Treaty had been held in March 2016 and covered patent information and prior art, search methodologies and so on. The other project was on IP for SMEs. That project was launched in November 2016. When that project started, a study was done on the SMEs in South Africa as a whole. The study did not receive the responses wanted and so the sample was not perfect. However, after deliberating with the partners, it decided to use the study report as the basic document on which to build on. The purpose of the program was to enhance awareness and understanding in the SME sector on IP. It had spoken to the Department of Small Business Development in South Africa to use the basic structures already in place, the database via the agencies that they worked with and they already had training programs for small businesses. It was talking to them in terms of strengthening their relationship, signing MOUs so that they incorporated IP in their training programs. It had started with implementing the program across the country, selected partners very smartly to achieve its goals in a short time span. It had, with the help of WIPO, created a toolkit and it was setting up Train the Trainer Programs in all those agencies. The agency it worked with, Small Enterprise Development Agency, had offices across the country. It was easy to train the trainers who were based in all provinces and cities so that they could actually train their SMEs. That program was well attended and the public received it very well. It had launched the program in 2016 and collaboration with other partners was important to achieve results. The structure that had been built by the Department of Trade and Industry helped bring all the parties and stakeholders together. The next project was on Industrial Property Automation System (IPAS). It was just beginning to do the Substantive Search Examination Program and it had been talking to WIPO looking at other existing systems. The Office had already decided to take and use the IPAS. WIPO actually was in South Africa doing tests the week before. It had invited patent offices and patent lawyers to come and see the system. An evaluation report would go to the Executive Committee so that a decision could be made formally and the program deployed. Another program was the IPR Enforcement Training Workshop. In fact, it had been doing some of that but it was doing it differently. It had partnered with law enforcement officials by giving them training. It had a very small number of employees at CIPC to deal with a big problem. It was training law officials with the help of WIPO and it had been taking the training program across the country to help do enforcement raids. It had developed a booklet based on the WIPO booklet on IP enforcement, and made it compatible with the South African environment so that it aligned with its legal needs. It was doing that with the police, customs officials, and prosecuting authorities and it was one of the programs that was well received. Regarding the successes and the lessons learned in the implementation of those projects, it said that when it had defined the need then it knew who were the partners that would help deliver the programs most effectively. That was what it saw had happened in the SME project. In fact, with the SME project run across the country, it had incorporated the program with WIPO on the Inventor's Assistance Program. It had received a number of applications and was just starting and it was working very well. It was busy talking to more lawyers to take the pro bono program and assist small businesses who had patentable inventions who were struggling in terms of funding the applications for patents. It was able to target the group in that way. It worked with the departments depending on where it went so that the agents of small businesses in those provinces could invite relevant people for those training programs. Collaboration was key and it had become its strategic decision. Even if it got interesting materials from somewhere else, it helped to customize the materials for the target market. It was better to have a holistic approach instead of having bits and pieces of training in different places. Technical assistance

must always be accompanied by capacity building to be able to do things oneself. The trainees had to be capacitated to be able to deal with the issues on their own.

479. The Delegation of China (Ms. Yuan Qi, Deputy Director-General, Department of International Cooperation, National Intellectual Property Administration, Lead Participant from China) said that, for a long time, she had been in charge of drafting IP-related texts and had participated in IP negotiations at the WTO. Her presentation had five parts: (1) Introduction of the National Intellectual Property Administration (CNIPA); (2) China's IP development and technical assistance; (3) Chinese experience in providing technical assistance; (4) China's experience in receiving technical assistance; (5) experiences and suggestions. Firstly, in March 2018, in order to enhance IP protection and utilization and to optimize the Government structure and functions, the Chinese Government had restructured China's IP office (SIPO) into CNIPA, where patents, trademarks, GIs, and layout designs of integrated circuits were all in one administration. The new office had extended the scope of work. CNIPA had 16,500 staff members, including 12,000 IP examiners. It was a very big office. CNIPA had the mandate to develop and lead the implementation of IP strategies, IP protection, promotion of IP utilization, IP examination administration and administrative adjudication, build public IP services system, and coordinate IP affairs involving foreign countries. Secondly, technical assistance had played a very big role in China's IP development. More than 30 years before, when China was in its early stages of IP development, it had been the beneficiary of technical assistance. At the time, WIPO, the European Patent Office (EPO) and the German IP office had provided a great deal of technical assistance, including legal assistance, training of patent examiners and examiners of Madrid System applications. Later on, it had gradually started providing technical assistance to other countries. In 2005, it had created a fund for 20 developing countries providing approximately 500,000 US dollars to be used for training activities. In 2016, it had created the WIPO-China Funds-in-Trust and had contributed a total of one million US dollars for technical assistance for developing countries in collaboration with WIPO. At the same time, it also collaborated with other governments or used the special funds of other regions, like the Asian Fund, the ASEAN Fund, etc., to promote technical assistance for developing countries. In 2017, the Chinese Government had signed an agreement of IP cooperation with WIPO as part of the Belt and Road Initiative to provide technical assistance to countries. Thirdly, there were two aspects to technical assistance: (1) capacity building and (2) technical assistance in the information field. Regarding capacity building, it had carried out four categories of activities including training, seminars and degrees, education, and awareness raising. The first one was capacity building for developing countries. From 2016 to the first half of 2018, it had held 20 training courses attended by 400 persons. Over the past 14 years, a total of more than 1,000 persons had been trained by CNIPA. There were training seminars on the IP system. There had been a workshop on IP policy administration for Latin American countries and trainers dispatched to other countries like Ethiopia. There was also training with the Gulf Cooperation Council (GCC), the Saudi Patent Office and the UAE Office. With regards to the training activities, CNIPA had built a systematic operation model with a complete set of norms. It had already trained 84 trainers and 118 examiners for international patent applications. At the same time, it also recruited external experts to provide courses. It had written 46 course programs covering IP strategy, IP laws, examination, etc. It had conducted the training activities in multiple formats and all those training courses were well oriented and well targeted. The second category of activities was about international conference and seminars. In 2018, there was a High-Level Conference on IP for countries along the Belt and Road. It had invited high level government officials of those countries. It had also held a High-Level Conference on IP with the China-Africa Seminar. In that seminar, participants could exchange experiences and best practices. The third category of activities was financing students from developing countries to receive master's degree education in IP. From 2017 to 2018, 12 trainees from 11 countries had received that type of education. From 2018 to 2019, 35 trainees from 21 countries had received the same education. With the WIPO-China Funds-in-Trust in 2017 to 2018 and 2018 to 2019 respectively two students had received a master's degree education jointly provided by WIPO and Tongji University. The fourth category of activity was awareness raising. The

Chinese Government had paid attention to education of the youth on IP. In that field, in collaboration with WIPO, it had published textbooks on IP for the youth. There was a textbook entitled “Questions and Answers on IP for the Youth” which included basic knowledge on copyright, patents, trademarks and other forms of IP, in the form of 130 questions and answers. The book’s English version had been issued on the occasion of the 2018 High-Level Roundtable on IP and the Belt and Road Initiative. In the future, it wanted to translate it into other languages and to provide it free of charge for countries in need. Besides capacity building, it had also done some work in the field of information. CNIPA had independently developed a Cloud Patent Examination System (CPES), a platform for sharing experiences and examination wisdom. Its offices were efficiently working together. It had provided free use of the CPES to IP institutes in 49 countries and regions. The CNIPA patent search and analysis system covered patent data of 103 countries, regions and organizations. It supported nine languages and provided a machine translation function. It was open to the public at home or abroad free of charge. Fourthly, China’s technical experiences in receiving technical assistance included TISC creation in China in collaboration with WIPO. The first group of seven TISC focal points had been identified. A second group of 13 TISCs was under selection. For years, it had collaborated with WIPO to promote global IP services in China and had developed distance courses in China. It had also sent people to attend training courses by the EPO, in Japan and in the Republic of Korea. It had also participated in the project of IP and Socioeconomic Development, Phase I. According to its experiences as a provider as well as a beneficiary of technical assistance, it had experiences and a few suggestions. Technical assistance activities could effectively enhance capacity of utilizing the IP system in developing countries and could facilitate exchanges of IP best practices. Technical assistance should be delivered based on demand and needs, as stated by the Delegation of South Africa. China would continue to provide more technical assistance, within its capacity. It hoped that WIPO would continue to play a facilitator role to promote technical assistance activities between capable and demanding countries. By way of technical assistance, WIPO would continue to implement the SDGs.

480. The Delegation of Peru, Lead Participant nominated by GRULAC, presented how technical assistance-related issues were dealt with in Peru and in the wider region. It did not have the same budget as WIPO or of the Chinese Patent Office but it had managed to do a few interesting things, making efficient use of resources to provide strategies. It introduced the National Institute for the Defense of Free Competition and the Protection of Intellectual Property (INDECOPI). The IP agency in Peru not only dealt with IP but with a few other topics. It had received a lot of technical assistance primarily from WIPO, for which it was thankful. It had provided capacity building activities. There was a lot of local talent and capacity in Peru. Its capacity building was similar to with the one presented by the Delegation of South Africa. It was attempting to pass on the technical assistance it had received to other countries in the region. One technical assistance success story had to do with the legal frameworks. It had and continued to receive technical assistance from WIPO. INDECOPI was a general organization that oversaw many topics besides IP. Within the area of IP, it covered copyright, patents, trademarks as well as traditional knowledge (TK) and appellations of origin. It attempted to ensure that fair competition was respected in Peru. It also provided consumer protection, looked at unfair competition, attempted to combat bureaucratic barriers, sanctioned dumping practices and dealt with cases of bankruptcy. It attempts to facilitate all these processes so that the market functioned correctly. That was a general overview of the decision-making bodies of the INDECOPI. Further, it had an IP Court and three departments. INDECOPI had commissions responsible for various topics. It had signed agreements with many countries in the region and in other areas of the world. It had a national agreement with the National Registry in Costa Rica, the USPTO, the IP offices in Chile, Brazil and Portugal and it was often signing new agreements. Within the framework of all of its agreements, it received technical assistance from the EU Intellectual Property Office (EU IPO), WIPO, the French National Institute of Intellectual Property, and the Court of Justice of the Andean Community. It would also be carrying out a program with the USPTO for knowledge strengthening and, it also had a project with the Swiss IP office. When receiving technical assistance, those activities concerned

the implementation of computer and IT tools. The office used almost all the tools that WIPO provided, with the assistance of the entire technical team. It was using the IPAS system to improve its IT system. There were other areas of capacity building, such as face-to-face training, internships and webinars or virtual conferences to make the best use of the technology available. It was understood in Peru that IP was a tool for economic development that needed to be dealt with at the national level. There were multiple Centers for Development of Intellectual Property (CEPIs). At the initiative of INDECOPI, it was promoting the use of IP and worked with MSMEs to make IP tools available to them. In Peru, 90 per cent of businesses were small businesses. As IP was a tool for growth and for creating value, there was a need to make it available to MSMEs. That was a real priority for the Government of Peru. It provided guidance and information to all interested parties on various IP-related topics and gave them assistance to understand the complexities of the IP system. It had a very successful platform for micro business owners to help them understand how IP could add value to different economic sectors. Those specialized CEPI centers had been established in six regions and it intended to continue rolling that out to the country's 24 regions. Among other things currently undertaken with WIPO, INDECOPI was working on Technology and Innovation Support Centers (TISC). In 2018, it had set up 22 of those centers, many of those were public, and some were private. Eighteen of the 22 were established in universities, mostly public universities. Those centers were providing a lot of training and capacity building, with the help of WIPO, for facilitators and various different staff who dealt with the TISCs in various ways. INDECOPI, with the support of WIPO, hoped to have a total of 42 TISCs by the end of 2019. Another experience with regard to tools to promote IP in Peru was the creation of a national school for IP: INDECOPI's National School. It was not only on IP as there were several other areas of study, but the major areas of study were on IP issues. There were 93 academic IP-related activities in 2017-18 and most of them had been seminars, workshops, some virtual courses, and internships not only for staff of the institutions, but also external staff, depending on the subject matter. It was also strategically working with particular courses, though there were not as many. Promoting with strategic partners in other bodies of the Peruvian Government was important. There were many development activities managed in Peru through the Ministry of Education, the Ministry of Production, the Ministry of Trade, or the Ministry of Culture. INDECOPI had joined in with those state initiatives and added a very successful and value-adding IP component. At the beginning it had launched capacity building activities where people really did not understand IP. The idea was to come up with IP components for state training, particularly reaching people in industry and trade and there had been a lot of positive outcomes which had a multiplier effect working together with those agencies. Capacity building activities were also organized with its strategic allies on topics of interest to INDECOPI. These activities were also organized directly with national producers about the importance of having and using collective marks to promote their products. There was a national program on collective marks looking at the registration by cooperatives of collective marks and explaining about the fees. The growth of the use of collective marks in Peru was very rapid. One could receive a collective mark in less than 40 days from the application. A simplified registration procedure allowed for a 25-day period and that was very interesting for producers. It had also worked a lot on workshops and seminars at the national level on such topics. Peru registered over 850 marks in one year, thanks to the National Program on Collective Marks accompanying producers and training them on the possibility of registering their products with collective marks. The developments in that area was rapid. It was also developing internships with third party countries, for instance, from the Andean Community and in Central America. Peru served as a platform for development and facilitating development of technical assistance for other countries provided by or facilitated by Peru. Peru developed its national IP Policy, with the support of WIPO and the technical assistance activities it provided. There were multi-sectoral policies to promote IP through the various different ministries that might have a relationship with IP and, in that regard he expressed appreciation to WIPO for its support provided to Peru to enable it to have a new vision of IP moving forward, leading to its National IP Policy presented by the President of the Republic himself, in April 2019. That showed its importance of the presence of

WIPO. That success was reached through building capacities horizontally also with other countries.

481. The Delegation of Canada, speaking in its national capacity, appreciated the opportunity to participate in the interactive dialogue, to share their experience, tools, methodologies on technical assistance. It thanked the Delegations of the United States of America, the Republic of Korea, China, South Africa and Peru for representing their regions. The Prime Minister said that the Canadian approach and perspective was that everyone had the possibility to build a more prosperous, inclusive and fair world. It liked to offer personalized support in a collaborative way. The Canadian experience was on personalized exchanges on capacity building and technical assistance. Thanks to integration of those elements it had been able to provide personalized and appropriate training and to maintain confidential relationships with participants in workshops. Before the preparation of a workshop, it consulted with the WIPO Academy Center of Excellence for Training and Teaching on IP issues in order to identify the linguistic needs of the countries requiring technical assistance. According to the recommendations of the WIPO Academy, annually it decided whether to provide those workshops in English or in French. The selection of participants was very important to maximize the impact of technical assistance, as the choices made in the selection of candidates facilitated networking among participants, the diversity of bureaus and South-South exchanges. That exchange was absolutely vital to integrate all forms of assistance because it enabled the participants who had similar background experience to share their experiences. Once the participants had been selected and the dialogue undertaken, questionnaires were shared to understand the participants' needs and expectations. That was very important to establish contact with participants as early as possible and to have commitment throughout the process. An agenda was then developed in response to the questionnaires' responses. There needed to be a certain amount of flexibility in the agenda and in the nature of contents in order to respond to the needs of the participants. Additionally, through workshops, it had noted positive results coming out of the integration of practical activities into the workshops. It enabled it to integrate and implement more easily shared trainings, to provide complete and integral technical assistance. It underlined the importance of inclusion in the evaluation process. For each workshop, it distributed daily evaluation questionnaires and a final one, so that, together with WIPO, it was able to see whether the workshops were appropriate and met the participants' needs to ensure ongoing improvement of its courses year on year.

482. The Delegation of Togo was grateful to have been one of the participants in a workshop hosted by Canada. It expressed recognition also to China. It was very pleased with the Canadian workshop, before, during and after. Prior to the workshop, it was very pleased by the way in which the participants had been identified and chosen. In the selection process, participants had been asked to express their needs and challenges. That was an opportunity to become aware of the huge stakes in IP management in the countries. During the workshop, it had been impressed by the diversity of countries that the participants came from. Each of the participants was able to give an update on the use of the IP system in their country, achievements and remaining challenges. The workshop was very constructive and enabled exchange of information and experiences among participants. It had also benefitted from the personalized attention of the Canadian authorities during a visit to the palace and meetings with the ambassadors represented in Canada. It was working on better use of the IP system and the creation of an Incubator Center like the one visited in Canada. It was very grateful for Canada's support in helping participants to contribute in their country to the creation of innovative businesses which could be involved in the national program of development. It expressed gratitude to the Delegation of Canada and the Canadian IP office for sharing the Canadian experience. It expressed gratitude to the Delegation of China which, during 2018, had supported Togolese participants in trainings held at the same time as a meeting of the Heads of State and Government of Africa in China with their Chinese counterparts and with the Chinese President. During the training, 31 Togolese staff from public and private enterprises, the legal word, customs, representatives of inventors and people from academia in addition to those from

the IP office were able to participate in that, looking at the creation of quality control in enterprises following China's strategy for combatting counterfeiting and IP management. At the end of that training, the 31 participants involved were able to create a platform to exchange on issues of counterfeiting, business creation and IP management. It expressed gratitude to the Ministry of Trade and Industry of China for providing that seminar and said cooperation was excellent between Togo and China. It worked in close collaboration with the Chinese Embassy in Togo, particularly its Economic Bureau. It was very grateful for all the efforts undertaken in order to ensure that Togo would be able to make better use of the IP system in the future.

483. The Delegation of Spain shared the cooperation activities of the Spanish Patent and Trademark Office (SPTO). The SPTO was a state body whose mission was to promote innovation and socio-economic development through technological information and to provide IP rights, patents, utility models, industrial designs, trademarks and trade names. The SPTO had a long experience with providing IP rights and working together with universities, entrepreneurs and SMEs. It worked on coordination with other institutions and bodies, participating in committees looking at IP infringements and carrying out awareness raising for stakeholders. Within international cooperation, the SPTO, in addition to representing Spain in various international fora on IP and industry, provided technical assistance in collaboration with international and regional organizations or directly with national IP offices within bilateral frameworks. The SPTO maintained intense collaboration with international and regional organizations like WIPO, the EPO, the EU IP office, and other EU bodies. Through bilateral cooperation agreements, it defined the framework of cooperation between the SPTO and national offices on issues such as training and technical assistance, advice and sharing of best practices. The SPTO had been working closely for more than two decades with WIPO on Latin American cooperation products. An important milestone was the creation of the WIPO-Spain Funds-in-Trust in 2004, whose basic objective was to promote knowledge and use of IP rights for the benefit of Latin American countries. Part of the technical assistance projects highlighted and financed by that Funds-in-Trust were those relating to capacity building of human resources through yearly regional seminars and workshops. With the signing of a MOU between the SPTO and WIPO on Countries in Transition, it worked with Eastern Europe and Ex-USSR Republics on similar workshops. In collaboration with the WIPO Academy, it had organized a whole series of seminars and courses for Latin America. More than 500 trademark examiners from Latin America had participated. There was also a training course and virtual training for Latin America organized every year. It had three online courses with those programs. It had trained more than 700 professionals from 76 different Ibero-American institutions and many of them were integrated into the 900-member experts' networks. It also had exchanges with other IP offices on improving the understanding of frontline workers and tools, and at its Headquarters it had hosted examiners from China, Morocco, Japan and the Republic of Korea. It had also visited Morocco and Israel. As in previous years, the SPTO held in September 2018 the 17<sup>th</sup> Regional Seminar on Intellectual Property for Judges and Prosecutors of Latin America, in collaboration with WIPO, in Antigua, Guatemala. Since the beginning, it had trained over 300 magistrates, continuing with the objectives of the previous years. The aim was to have an integrated plan to train the trainers for judges and prosecutors in Latin America, and to establish a network of contacts to have better treatment of legal protection of IP throughout Latin America. From a bilateral point of view, the SPTO had a whole series of agreements with Latin American IP offices and made national plans on improvement of search and use of technology in examination. Latin American experts were trained with the various technological services available. In 2018 at the SPTO headquarters, Argentina, Cuba, Mexico and Peru were represented in a training. Looking at strengthening IP systems, it also had five sessions on best practices between 2013 and 2017. Brazil, Chile, Columbia, Cuba, Mexico, the Dominican Republic, Peru and Spain were all involved. The idea was to establish a guide for IP management systems. With regard to strengthening regional cooperation, it had various regional, bilateral and multilateral programs on instituting and strengthening on IP in Latin America. Specialization and identifying on collaboration projects, it highlighted the Ibero-American IP Program. Another area of interest dealt with global databases and platforms for

information technology for cooperation among offices in various different areas which included the Latipat Program. Latipat came up from a cooperation project started in 2003 between the SPTO, WIPO and the EPO with the collaboration of 19 IP offices from Latin America launching a database in Spanish and Portuguese containing published patent documents from all those countries. The Latipat database included more than 3 million biographical data and 1.7 million images. During the 13<sup>th</sup> Regional Seminar, in 2018 in collaboration with the WIPO Global Infrastructure Sector, there was a training workshop whose main aim was the optical character recognition search. There would also be a training the following week in Costa Rica for an initial group. With regard to legislative technical assistance, the SPTO had been involved in various different projects on regional databases and law transition advice with regard to the law database. The idea was to facilitate interpretation of laws and promote the use of uniform criteria in the granting of IP rights. The SPTO had put forth that project with WIPO and various countries of the Latin American region. Another instrument of the EU was the Technical Assistance Information Exchange Program. It was a tool on transposition of EU law into national laws and its further use. The SPTO participated with Turkey in training Turkish judges on IP rights protection in the European context. An SPTO expert had gone to Turkey to take part in those training activities on IP rights protection. It also had a visit of six Turkish Supreme Court judges to the SPTO in March 2018, which would help in good practices and the fight against IP infringement in Turkey. Another cooperative instrument between the public authorities and Member States of the EU, was the SISPU Program in Ukraine working with the SPTO and the State Office of Patents and Trademarks of Ukraine. There were various components and among the activities carried out there were training seminars for patent and trademark examiners, seminars on enforcement of IP rights for customs, prosecutors and police officers, and recommendations to Ukrainian politicians with regard to IP. In that context, it had held a conference with public-private partnerships to share information about their products and innovations. There were also workshops led together with the EU and Latin America. One of the main initiatives and activities carried out in the framework of EUROCLIMA was support provided for investigating and researching the needs and looking at IP to improve governance in the area of climate change and IP. Its capacity building looked at the evaluation of IP and the methodology for its technical assistance incorporated the lessons learned and results achieved from its previous activities.

484. The Delegation of Nepal appreciated the opportunity for Member States to share their activities and experiences in the field of IP. One of its key activities was an IP summer school for young university students. It was a very good idea to create future IP experts and to develop interest in the youth. It had also benefitted from assistance from the Delegation of the Republic of Korea and KIPO, the Delegation of China and other members' IP-related activities at the bilateral, regional and international levels. It thanked all Lead Participants for their excellent presentations.

485. The Delegation of Zimbabwe expressed gratitude for an eye-opening session. It acknowledged the comprehensive and enlightening presentations by the Delegations of South Africa, Peru, China, the United States of America, the Republic of Korea and Spain on behalf of their regional groups, which showed the importance of technical assistance and capacity building for Member States. It appreciated the continued support of WIPO. In support of the issues on IP development, the Zimbabwean Government supported the tangible research innovation outputs that added value through setting up of new industries. The country was known by the mantra "Zimbabwe is open for business." Universities had to drive innovation and commercialization of technologies that would result in the creation of enterprises that would create jobs and benefit all sectors.

486. The Delegation of El Salvador, speaking in its national capacity, expressed appreciation to all Lead Participants for their excellent presentations. Its efforts were mainly related to administration and observance of IP as well as awareness raising of educational institutions and the general public. In recent years, it had seen a significant change in assistance and the way it

was used, which increased its effectiveness. At the national level, it had been working with WIPO on its programs and projects to provide concrete assistance for development. It highlighted some successful initiatives with a significant impact in the region. Firstly, as regards industrial property, the regional offices of Costa Rica, El Salvador, Guatemala, Nicaragua, Panama and the Dominican Republic had adopted general manuals to harmonize legislations, including on patents with the support of WIPO, the EPO and the Mexican Intellectual Property Institute. Those manuals were used every year and had become very useful not only for examiners, but also for users and in the framework of capacity building activities. Secondly, a ministerial meeting on IP had been held for Central American countries and the Dominican Republic. It provided information about the opportunities that IP provided and it had been an opportunity to coordinate initiatives in the region. It had the support of WIPO and ministers also enjoyed the presence of the Director General, which had led to a fruitful dialogue on IP and strengthened cooperation among countries. It had held five ministerial meetings and the sixth would be held in 2019. The first concrete result of that ministerial forum on cooperation was the creation and adoption of national IP policies and strategies. Further, ministers in those meetings gave general guidelines that helped coordinate activities at the sub-regional level. That dynamic had made it possible to make cooperation and technical assistance part of an integrated program. In 2015, the ministers had requested a Study on the use of the IP system in Central America, as part of the project on Intellectual Property and Socioeconomic Development—Phase II (CDIP/20/INF/3). The activities carried out on the sub-regional level had provided efficient use of cooperation actions. As to the lessons learned, the fundamental elements of technical assistance received were, creating a general objective which stated a structured plan that identified the needs for technical assistance and guaranteed continuity of activities carried out, the definition of appropriate mechanisms for organizing and carrying out actions with WIPO and the regional Bureau, necessary evaluation, formulation and adoption of institutional policies in which beneficiaries could appropriately take onboard the assistance provided.

487. The Delegation of Singapore stated that, as a small country whose only resource was its people, it saw human resource development vital for economic and social development. It was happy to share its experiences on IP with other countries. Since 2006, the WIPO Singapore Office had been organizing regional workshops and seminars in Singapore annually for participants from ASEAN and other countries in the Asia-Pacific Region, including Bangladesh, Bhutan, Fiji, Nepal, Pakistan, and Papua New Guinea, all under a Memorandum of understanding (MoU) between WIPO and Singapore. To date, more than 900 government officials had participated in courses conducted through that MoU. Those capacity building courses took place under the ambit of the Singapore Cooperation Program (SCP), Singapore's primary platform for offering technical assistance. The themes for the events were identified taking into account the needs and interests expressed by the IP offices of the Asia-Pacific region and ranged from best practices for different IP types to improving the functioning of IP offices in light of current economic or technological trends. A regional workshop on the international trademark landscape was to take place on December 13 and 14, 2018. In addition to the activities under the MoU, it worked with partners, such as Australia, the United Kingdom and the United States of America through the SCP to jointly conduct IP training programs in Singapore for other countries. In 2017-2018, it had conducted programs along with Japan, Australia and the United States of America and would be organizing a workshop on IP rights with Australia on December 3-7, 2018. Participants' feedback for the events under both the MoU and the Singapore-United States Third Country Training Programme (TCTP) had been positive, with some participants reporting that they had been able to immediately apply the skills and knowledge gained in their work. It would continue to improve in its provision of technical assistance to better support the needs and interests of the Asia-Pacific region. It looked forward to learning more about experiences of other countries in the area of technical assistance.

488. The Delegation of Tunisia appreciated the efforts of the various speakers for sharing their very useful experiences. All of that experience showed how important technical assistance was, particularly in the field of training and capacity building, which was why it was so necessary to have constant evaluation, before and after, to continue to improve the methods in place. It had benefited from technical assistance provided by WIPO and it appreciated its availability to assist Tunisia in various fields and activities. . In October 2018, there had been a regional workshop on IP for Arab countries organized by WIPO and its Arab Bureau. There was also a pilot project in close cooperation with the Arab Bureau and meetings with SMEs in order to establish four technology transfer offices in Tunisia. In addition, a project had been launched in 2018, on drafting a strategy to better structure the National Intellectual Property Office in Tunisia.

489. The Secretariat (Mr. Mario Matus) found the discussion interesting. It had been the second opportunity to discuss the issue of technical assistance, with the first being the Roundtable held in 2017. The Secretariat then presented on its activities in the area of technical assistance, grouped around four pillars: (1) national IP strategies and policies; (2) assistance to Member States to develop or upgrade their rules and regulations; (3) infrastructure of IP office; (4) promotion, teaching, educating and training. He said there had been a number of presentations, some formal, some by way of comments, and those shared six common features. Depending on the type or size of the office, the technical assistance provided was different. The big ones, meaning over 10,000 staff, usually provided technical assistance to their own people, but also abroad. The second type of IP offices were those where the cooperation outside its own country was through WIPO, usually, through Funds-In-Trust. In the third category, the IP offices were recipients of technical assistance from WIPO or other partners. In terms of scope, the type of technical assistance provided was basically general awareness on public policies, patents, trademarks, designs, copyright, and some specific areas as requested. In terms of the format, usually there were few ways to provide technical assistance. One was through distance learning courses or Internet, the second was face-to-face, and the third one that was through an internship program. The fourth common element was the summer courses, workshops, seminars, and specific programs for specific needs as requested by members. As to the recipients of the technical assistance, those were the general public, experts in all IP fields, judges, enforcement agencies, and sectoral topics, such as agriculture, climate change, etc. The lessons learned said that successful technical assistance should be demand driven. The target groups and the needs should be clearly defined. Further, collaboration with partners and stakeholders should be as intense as possible. The training, ideally, should be customized to specific needs. WIPO would continue to work with Member States on those aspects. He then referred to the statement of the Director General who mentioned that around 20 per cent of the WIPO budget was devoted to technical assistance. It was among the biggest providers of technical assistance in that area. Collaboration was the key message, and it would continue doing so.

490. The Delegation of Morocco, speaking in its national capacity, mentioned that it had a fruitful cooperation with WIPO. It thanked the Arab Bureau not only for the assistance provided to Morocco but also to the entire region. In that regard, the Moroccan Intellectual Property Office and WIPO had strengthened their cooperation by signing a new MoU for cooperation in Arab countries. It had also hosted and co-organized regional activities and study visits for office representatives within the region in order to exchange practices and knowledge on how to develop IP. In cooperation with WIPO, it had focused on training, arbitration, IP within universities and research institutions as well as the pro bono program concerning South-South cooperation and international cooperation. The Moroccan Intellectual Property Office continued to develop international programs and had particularly strengthened activities on South-South cooperation. There were studies and exchange of information, particularly in the following fields: ICTs, IT systems, study visits to Morocco as well as visits of Moroccan experts to African and Arab countries together with African and Arab startups and small companies. It reiterated its attachment to the importance of technical assistance and cooperation with WIPO and various members. It hoped that it would continue working in the same spirit of cooperation.

491. The Chair thanked the Lead Participants and Member States for their respective contributions. The discussion on technical assistance had met the purpose of sharing knowledge, lessons learned, best practices, both in delivering and receiving technical assistance. He wished it would not be just an event but a process where Member States could hear relevant countries' programs and activities and be connected. All Member States could connect with those that had already shown their programs and activities on technical assistance. There could be new resources working in partnership with those that had already provided and would continue to provide technical assistance as well as receiving technical assistance. He thanked the Deputy Director General, Mr. Mario Matus, and the Secretariat, which had taken note of members' suggestions.

492. The Committee took note of the presentations and interventions.

### **AGENDA ITEM 7: CONSIDERATION OF WORK PROGRAM FOR IMPLEMENTATION OF ADOPTED RECOMMENDATIONS (resumed)**

#### Documents under consideration CDIP/21/8 Rev. and CDIP/22/17 – Issues to be addressed under agenda item “IP and Development” (continued)

493. The Chair resumed the discussion on Issues to be addressed under “IP and Development”. He recalled the proposal under discussion for the topic to be addressed under the agenda item “IP and Development” at the 24<sup>th</sup> session of the CDIP; “SMEs and Innovation, including trademarks”. The Chair opened the floor for comments.

494. The Delegation of Indonesia, speaking in its national capacity, referred to its joint submission by the Delegations of Indonesia and the UAE (document CDIP/22/17) and stated that some delegations had asked for clarification about the sectors covered under the term “creative industries.” For the purposes of the joint submission, the sub-sectors of creative industries included matters such as architecture, physical design, interior design, product design, film, animation and video, photography, craft, culinary, music, fashion, application and game development, publishing, advertising, television and radio, performing arts and fine arts. The Delegation conveyed its appreciation to the positive remarks and support with regard to the joint submission.

495. The Delegation of Canada, speaking on behalf of Group B, stated that it was ready to support the adoption of the following topics for discussion at the 24<sup>th</sup> and 25<sup>th</sup> sessions of the CDIP, respectively: “MSMEs, Innovation and Intellectual Property” which would combine proposals from the Delegation of Brazil and Group B, and “IP and the Creative Economy” which would reflect the proposal by the Delegations of Indonesia and the UAE. Group B was confident that both topics would make for fruitful and interesting exchanges. The format and modalities agreed on at the 21<sup>st</sup> session CDIP should be maintained in future sessions. Moreover, keeping one topic per session would provide the ideal time and form necessary for a fruitful exploration of each theme by the Committee. It expressed hope that the enthusiasm that was evident during the discussion would continue in future sessions and it looked forward to continuing to engage on that matter.

496. The Delegation of the Republic of Korea, speaking on behalf of the APG, supported the topic of “IP and the Creative Economy” proposed by the Delegations of Indonesia and the UAE to be addressed under the agenda item “IP and Development”, which should be discussed at the 25<sup>th</sup> session of the CDIP. It looked forward to constructive discussions in the future.

497. The Delegation of Morocco, speaking on behalf of the African Group, requested to postpone the adoption of the proposal on the issue to be addressed under “IP and Development”.

498. The Delegation of Brazil supported the proposal and thanked the Delegations of Indonesia and of Canada on behalf of Group B for being very constructive. That spirit should continue at the following session.

499. The Delegation of Chile supported the proposal that the topic for the 25<sup>th</sup> session of the CDIP should be the topic proposed by the Delegations of Indonesia and the UAE. It could also agree to the topic for the 24<sup>th</sup> session being “MSMEs Innovation and IP.” It requested the Delegation of Indonesia to clarify if the list of creatives industries was exhaustive or if other sectors could be included as well.

500. The Delegation of Thailand aligned itself with the statement made by the Republic of Korea on behalf of the APG. It supported to discuss the topic of “IP and the Creative Economy” at the 25<sup>th</sup> session of the CDIP. It agreed to have the topic of “MSME Innovation and IP” at the 24<sup>th</sup> session of the CDIP.

501. The Delegation of Iran (Islamic Republic of) supported the proposed topics to be discussed at the 24<sup>th</sup> and 25<sup>th</sup> sessions of the CDIP.

502. The Delegation of Nepal associated itself with the statement delivered by the Republic of Korea on behalf of the APG. It supported the topics proposed for the 24<sup>th</sup> and 25<sup>th</sup> sessions of the CDIP.

503. The Delegation of Indonesia, speaking on behalf of both the Delegation of Indonesia and the UAE, conveyed its appreciation for the positive remarks and support for the topic of “IP and the Creative Economy” to be discussed at the 25<sup>th</sup> session. With regard to the question by the Delegation of Chile, it stated that the list of creative industries was non-exhaustive. There was no intention to impose a definition of creative economy or creative industries to other Member States.

504. The Chair suspended the discussion, following the request made by the Delegation of Morocco, on behalf of African Group.

Document under consideration CDIP/22/15 – Proposal for a Pilot Project on Copyright and the Distribution of Content in the Digital Environment Submitted by Brazil (continued)

505. The Chair resumed the discussion on document CDIP/22/15.

506. The Delegation of Brazil stated that, following consultations with other Member States, its proposal was the same as the one presented the day before, except for some changes in terms of formalities. It had incorporated the names of the pilot project countries, as suggested by the Delegation of the UK, and mentioned previous studies carried out by the CDIP, as suggested by the Delegation of Switzerland. It had tried its best to incorporate all of the suggestions made by other Member States.

507. The Delegation of the United States of America stated that, while the proposed discussion of copyright and related rights national regimes as applicable to licensing and distribution of audiovisual content in the digital environment definitely had merit and value, it appeared to overlap with proposals in the SCCR related to copyright in the digital age. Notwithstanding that, the Delegation could support the project, provided that the planned output was intended for information purposes only, and in no way would form a basis for any normative work. From its conversations with the Delegation of Brazil, it accepted its assurances that that was the case.

Moreover, keeping that proposed project within the realm of development needs as per the mandate of the CDIP was imperative. Finally, given the nature of the proposal, it should fall primarily under Cluster D of the DA, Assessment, Evaluation and Impact Studies rather than Cluster A, Technical Assistance and Capacity Building. However, if and to the extent that the proposal was intended to fall mainly under Cluster A, it called attention to paragraph 1 of Cluster A that stated: “WIPO technical assistance shall be, *inter alia*, development-oriented, demand-driven and transparent, taking into account the priorities and the special needs of developing countries, especially LDCs, as well as the different levels of development of Member States and activities should include time frames for completion. In this regard, design, delivery mechanisms and evaluation processes of technical assistance programs should be country specific.”

508. The Delegation of Brazil confirmed that the project was a non-normative exercise and would be limited to the current issues in the field of copyright and related rights. The digital environment was a complex area. Many delegations would welcome the opportunities provided by the project to better understand the legal aspects and issues related to audiovisual works, if not as policymakers, perhaps as consumers.

509. The Delegation of India supported the proposal by the Delegation of Brazil. That progressive proposal would generate comparative valuable data and create awareness. In the future, it could be replicated in other regions of the world.

510. The Chair concluded the discussions on document CDIP/22/15. The project was approved, given that there were no further comments from the floor.

Document under consideration CDIP/20/8 – Discussion on the Revised Proposal of the African Group Concerning the Biennial Organization of an International Conference on Intellectual Property and Development (continued)

511. The Chair resumed the discussion on document CDIP/20/8. After having consulted with various delegations, he proposed the following language for the decision: “The Committee decided to convene three consecutive one-day biennial International Conferences on IP and Development on the first day within the CDIP week, starting from the 23<sup>rd</sup> session of the CDIP with the topic “How to Benefit from the IP System”. The second and third conferences are subject to the agreement on the topics by the Member States. The Committee tasked the Secretariat to implement the decision on the basis of the principles of balance and fairness, including in the selection of speakers and format.” It was adopted, given that there were no further comments from the floor.

Documents under consideration CDIP/22/4 Rev., CDIP/21/11, CDIP/19/3 and CDIP/18/7 – Discussion on the Independent Review Recommendations 5 and 11, and Member States Inputs on the Way Forward on the Modalities and Implementation Strategies of the Adopted Recommendations of the Independent Review Recommendations (continued)

512. The Chair resumed the discussion on the Independent Review Recommendations 5 and 11 (documents CDIP/19/3 and CDIP/18/7). After having consulted with various delegations, he proposed the following language for the decision: “The Committee took note of recommendations 5 and 11 of the Independent Review and requested the Secretariat to continue all of its practices that relate to recommendations 5 and 11 in accordance with WIPO’s relevant mandate, and to add the link to Expected Results in Annex I of the DG’s annual report on the implementation of the DA.” It was adopted, given that there were no further comments from the floor.

**AGENDA ITEM 6: MONITOR, ASSESS, DISCUSS AND REPORT ON THE IMPLEMENTATION OF ALL DEVELOPMENT AGENDA RECOMMENDATIONS (resumed)**

Document under consideration CDIP/22/13 – Contribution of the Relevant WIPO Bodies to the Implementation of the Respective DA Recommendations (continued)

513. The Chair resumed the discussion on document CDIP/22/13.

514. The Committee took note of the information contained in document CDIP/22/13.

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

Documents under consideration CDIP/21/8 Rev. and CDIP/22/17 – Issues to be addressed under agenda item “IP and Development” (continued)

515. The Chair resumed the discussion on documents CDIP/21/8 Rev. and CDIP/22/17. He proposed that the Committee decided to discuss the topic “MSMEs, Innovation and Intellectual Property” under agenda item “IP and Development” at its 24<sup>th</sup> session and “Intellectual Property and Creative Economy” at its 25<sup>th</sup> session. It was agreed, given that there were no further comments from the floor.

**AGENDA ITEM 8: IP AND DEVELOPMENT (resumed)**

Document under consideration CDIP/22/16 Rev. – Proposal by Mexico on Women and Intellectual Property

516. The Chair resumed the discussion on the Proposal by Mexico on Women and IP. The Chair recalled that the Delegation of Mexico had distributed a revised version of the proposal (document CDIP/22/16 Rev. 2) and asked Member States whether they agreed to adopt the revised proposal. The proposal was adopted, given that there were no further comments from the floor.

517. The Delegation of Mexico expressed its gratitude to delegations for their support. It was clear from the dialogue that much work was being done both in WIPO and in Member States on the important topic of Women and IP. There was no doubt that the participation of women and girls in the IP system was a challenge to all countries, whether developed or not and that the work in that field needed to be strengthened. It was the first time that the subject was being considered at WIPO. The first step was always difficult, but WIPO was an organization devoted to creativity and innovation. It thanked all delegations for their input and expressed hope to continue with the work as indicated in the proposal.

518. The Delegation of Canada, speaking on behalf of Group B, supported the proposal by the Delegation of Mexico on Women and IP. It acknowledged the numerous efforts undertaken by the Delegation of Mexico to develop a proposal into a mutually agreeable outcome. It looked forward to engaging further on that crucial issue in the CDIP under the agenda item “IP and Development” at the 26<sup>th</sup>, including with the renewed impetus provided by the Delegation of Mexico’s timely proposal and its outputs, to which it looked forward. The approval of that document was exceptional. It did not wish to establish a precedent of committees within WIPO having to discuss broad, far-reaching declarations of principle. It had supported the proposal given the importance of that issue and the willingness of the Delegation of Mexico to adjust it according to Member States’ views, finding a consensus.

519. The Delegation of the United States of America agreed with the statement made by the Delegation of Canada on behalf of Group B. It conveyed its sincere appreciation for the constructive efforts made by the Delegation of Mexico to refine the text to address many of the questions raised by delegations. It highly valued the importance of the long-standing tradition of consensus-based decision making at WIPO. It recognized that the inclusion of women and other underrepresented groups was critical to achieving full technologic and economic potential and furthering a focus on innovation. A number of its Government agencies had been mandated with both studying and taking action to promote equal opportunities for the participation of women in entrepreneurship activities and to increase opportunities for the number of women who applied for and obtained patents. That was just one example of the efforts undertaken that focused on women inventors, entrepreneurs and the importance of IP for innovation and creativity. It supported the intention of the proposal to express that promoting equal opportunities for the inclusion of women in the IP system was important to the success and development of economies. It pointed out that the decision on the proposal by Mexico did not restate nor necessarily reflected Member States' obligations under international or domestic law. Each country would determine for itself how to carry out the proposal in a way consistent with applicable law and policy.

520. The Delegation of Iran (Islamic Republic of) appreciated the openness and professionalism of the Delegation of Mexico to receive Member States' comments on the proposal and submit a revised version of the document. The topic of women and IP was very important.

521. The Delegation of Austria, speaking on behalf of the EU and its member states, stated that it fully agreed with the intention of proposal from the start. On multiple occasions, it had asserted its keen interest to promote gender equality in all areas of life. Equal contribution of women and men to economic welfare in general, especially in the field of innovative industries, was paramount for sustainable development, as shown by numerous scientific studies. It welcomed the initiative that the Delegation of Mexico had taken by proposing varieties of actions to be undertaken inside and outside of WIPO, as well as its constructive spirit.

522. The Delegation of Chile, speaking on behalf of GRULAC, supported the proposal by the Delegation of Mexico. It congratulated the CDIP for having reached consensus, and the Delegation of Mexico for the work done to achieve the timely approval of the proposal, which reflected the importance of the role of women and countries' commitment to that topic.

523. The Delegation of Lithuania, speaking on behalf of the CEBS Group, stated that the topic women and IP was highly relevant and important for the CEBS Group members. It was pleased with the discussion carried out over the week and appreciated that the proposal had been adopted.

524. The Delegation of the Russian Federation thanked the sponsors of the proposal for discussing that important topic in the CDIP, as well as the Secretariat for its presentation.

525. The Delegation of Indonesia, speaking on behalf of the APG, thanked and congratulated the Delegation of Mexico for the proposal on Women and IP and for the work put through in reaching consensus. It attached great importance to empowering women in the field of IP.

526. The Delegation of Morocco, speaking on behalf of the African Group, thanked and congratulated the Delegation of Mexico for its excellent proposal and looked forward to its implementation.

527. The Delegation of Canada, speaking in its national capacity, stated that advancing gender equality in women's empowerment was its top priority. Fostering diversity and inclusion was integral to creating an economy that worked for everyone. The full and equal participation of

women in the economy was essential to every country's future competitiveness and prosperity. It congratulated the Delegation of Mexico for its leadership in putting forward a strong and compelling case to further promote the key role that women played in the IP system. It expressed its strong commitment to the issues addressed in the proposal. All Member States as well as WIPO had a role to play to take down barriers that prevented women to fully participate in and take advantage of the IP system. The Delegation of Mexico's proposal represented a solid and concrete action to that effect. The Secretariat should continue to build on its excellent work toward that objective, including by focusing on the collection and compilation of gender disaggregated data related to IP use and ownership, which all Member States would benefit from. It welcomed the decision to adopt the proposal.

528. The Delegation of Tunisia thanked the Delegation of Mexico for the proposal and welcomed the CDIP's decision to adopt it. It stressed the role of women in all areas, particularly in IP and development, which should be taken into account to ensure social and economic development of the country and the development of women.

529. The Delegation of the Republic of Korea conveyed its appreciation to the Delegation of Mexico for making a meaningful proposal on Women and IP and congratulated it on its proposal. It attached great importance to empowering women activities and increasing women's awareness in the IP area. It was pleased to having supported the proposal, which would be helpful in that regard.

530. The Chair concluded the discussions on document CDIP/22/16 Rev 2.

## **AGENDA ITEM 9: FUTURE WORK**

531. The Secretariat (Mr. Irfan Baloch) introduced the list of future work, which was based upon previous commitments and the decisions taken at the 22<sup>nd</sup> session. At its following session, the Conference on IP and Development would be held. After the Conference, there would be a discussion under the agenda item on "IP and Development" on IP and Development in the Digital Environment. The Committee would devote almost a day and a half to those discussions. The Committee would consider the following documents: (i) the Director General's Report on the implementation of the DA, as per usual practice; (ii) the Report on WIPO's Contribution to the Implementation of the Sustainable Development Goals and its Associated Targets, in accordance with the decision taken at the 18<sup>th</sup> session of the CDIP; and (iii) completion and evaluation reports of the projects that were expected to be completed, namely, IP Rights Education and Professional Training with Judicial Training Institutions, IP, Tourism and Culture, and Cooperation on Development and Intellectual Property Rights Education and Professional Training with Judicial Training Institutions in Developing and Least Developed Countries. It further recalled the decision by the CDIP to implement the multipoint proposal by Spain on technical assistance and report back to the Committee and announced that two or three documents would be presented in that regard. On the question of the Independent Review Recommendations, the CDIP had taken a decision that interested Member States should provide the Secretariat with inputs up to January 31, 2019. The Secretariat would propose for the consideration of the CDIP a document containing modalities and implementation strategies, and a reporting and reviewing process, in order to facilitate a decision by Member States in the CDIP. As regards the agenda item on "IP and Development", a roster of topics proposed by the Member States would be established and made available for Member States. It recalled that, in relation to the database on flexibilities, the 18<sup>th</sup> session of the CDIP had decided that should the Secretariat receive updates, it would incorporate them in the database and report back to the Committee. Some other work was dependent on the progress achieved. In this regard, it recalled that the 19<sup>th</sup> session had decided to hold a conference on Public Sector Information in LDCs and announced that the Secretariat would make an oral presentation on its outcomes, should the conference take place before the 23<sup>rd</sup> session and the

Secretariat had the time to prepare it. The Secretariat would also present a prototype of a web-forum on technical assistance, based on wiki or a similar platform, as per the Committee's decision at that session. In relation to the project proposal by the Delegation of Burkina Faso on the topic of Strengthening and Development of the Music Sector in Burkina Faso and Other African Countries, the Committee had decided to request the Delegation of Burkina Faso to revise its proposal with the assistance of the Secretariat and present it to the 23<sup>rd</sup> session. The Secretariat would thus be assisting the Delegation of Burkina Faso to develop that proposal. It might also make a presentation at the following session on the migration of the Roster of Consultants to WIPO's ERP system.

532. The Committee agreed on the list of future work given that there were no observations from the floor.

#### **AGENDA ITEM 10: SUMMARY BY THE CHAIR**

533. The Chair invited the Committee to consider the draft Summary by the Chair. He proposed to revise and adopt each paragraph one by one and invited delegation to make their comments, if any. Paragraphs 1, 2, 3, 4, 5, 6.1, 6.2, 6.3, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, and 8.3 were adopted, given that there were no observations from the floor. He turned to paragraph 8.4.

534. The Delegation of the United States of America suggested one small factual change in paragraph 8.4, in the second sentence that read "the Committee took note of the information contained in the document and requested the Secretariat to provide further details on the costing for customizing and integrating...". It suggested that it was not just details "on the costing", but "further details in addition to costing". Thus, the text should read "...further details and the costing..."

535. The Chair stated that paragraph 8.4 was adopted, with the amendment proposed by the Delegation of the United States of America. Paragraph 8.5 was also adopted, given that there were no observations from the floor. The Chair then turned to paragraph 8.6. The Delegation of the United Kingdom expressed its understanding that by adopting the proposal by the Delegation of Mexico, including its last paragraph, the 26<sup>th</sup> session would revisit the topic of Women and IP and that would be included under the agenda item "IP and Development". It suggested to include that language in subparagraph (v) of the Summary.

536. The Chair proposed to add the following language: "the Committee decided to revisit the issue of Women and IP at its 26<sup>th</sup> session for the way forward."

537. The Delegation of Iran (Islamic Republic of) wished to clarify that there was a general understanding that each session would discuss one topic under the agenda item "IP and Development". The 26<sup>th</sup> session would hold a discussion on a topic to be decided by Member States, not on Women and IP, since that would be a reiteration.

538. The Chair clarified that the wording was "to revisit" and not "to put as a topic." He referred to paragraphs 9 and 9.1 of the Summary and proposed to add the modification under the paragraph discussing the adoption of the Proposal on Women and IP by the Delegation of Mexico.

539. The Delegation of Czech Republic supported the Chair's proposal.

540. The Delegation of the United States of America suggested a grammatical correction in subparagraph (iii) of paragraph 8.6. It further sought clarification as to under which agenda item it would be included. It suggested that the roster of topics should be included in a document.

541. The Chair clarified that the request by the Committee was to make a roster of Member States' proposed topics to keep it open for further consideration.

542. The Delegation of the United States of America noted a typographical error: instead of "for the topics," paragraph 8.6 should read "of the topics."

543. The Chair asked delegations if there was an agreement on paragraph 8.6, as amended.

544. The Delegation of the United Kingdom pointed out a typographical error: the text should read "considered at the 24<sup>th</sup> session". Its views and those of the Delegation of Iran (Islamic Republic of) were not mutually exclusive, so it could agree on paragraph 8.6 as amended.

545. The Delegation of Brazil agreed with the suggestion made by the Delegation of the United Kingdom as long as it was clear that the topic that would be discussed at the 26<sup>th</sup> session would not be Women and IP, which would only be revisited. The topic to be discussed had to be based on document CDIP/21/8 Rev., without precluding other delegations from proposing other topics.

546. The Chair stated that paragraph 8.6 was adopted, as amended. Paragraphs 8.7, 8.8, 8.9, 8.10 and 8.11 were adopted, given that there were no observations from the floor. The Chair clarified that paragraph 8.11 would be placed under agenda item 6. Paragraphs 8.12, 9, 9.1, 10 and 11 were also adopted by the Committee, given that there were no observations from the floor.

547. The Secretariat stated that, in relation to paragraph 12, the Summary by the Chair at the 22<sup>nd</sup> session, together with the Summary of the 23<sup>rd</sup> session, would constitute the Committee's Report to the GA in September 2019.

548. The Chair confirmed that paragraph 12 had been amended as per the Secretariat's proposal. The Committee adopted paragraph 12, given that there were no observations from the floor.

## **AGENDA ITEM 11: CLOSING OF THE SESSION**

549. The Chair thanked the delegations and stated that it had been an honor and privilege to work with all of them during that week and during the 21<sup>st</sup> session. He acknowledged their professionalism and flexibility in accommodating each other's positions. Deliberations had been very successful and the Committee had completed all pending issues. It had been successful in discussing for the first time under the agenda item on "IP and Development" the topic of Women and IP, and it had held the interactive dialogue on technical assistance. He thanked the two Vice-Chairs for their collaboration and support, as well as the Director General, the Deputy Director General the entire team in the Secretariat and the interpreters. He opened the floor for concluding remarks.

550. The Delegation of Morocco, speaking on behalf of the African Group, stated that the CDIP had been able to achieve very useful results thanks to the cooperation of many delegations in achieving consensus. The name of the CDIP indicated that the Committee was about IP and development, that is, progress. It thanked the Chair, the delegations, the Secretariat and interpreters for their work during the session.

551. The Delegation of the Dominican Republic, speaking on behalf of GRULAC, thanked the Chair, the delegations, the Secretariat and interpreters for their work during the session. It welcomed the results achieved, especially the important discussion on Women and IP, and was

pleased that the decision proposed by the Delegation of Mexico had been adopted. It was pleased to see that that item was going to remain on the agenda because it had sparked the interest of Members. The interactive dialogue on technical assistance had been very useful. It was glad that positive results had been achieved on the holding of an International Conference on IP and Development, on Recommendations 5 and 11 of the Independent Review, and on the contribution of the committees to the DA.

552. The Delegation of Lithuania, speaking on behalf of the CEBS Group, conveyed its thanks for the Chair, Vice-Chairs, delegations, the Secretariat and interpreters for their work during the session.

553. The Delegation of Canada, speaking on behalf of Group B, welcomed the overall positive outcomes of that week's session. The spirit of collaboration and compromise had allowed making important progress, which in turn would allow the Committee to consider further mutually beneficial initiatives and projects. Specifically, it welcomed the decisions on recommendations 5 and 11 of the Independent Review, on the contribution of committees to the DA, and on the International Conference on IP and Development. The balanced compromised outcome on the International Conference reflected flexibility from all regional groups. It also appreciated that there was agreement on topics to be discussed under the agenda item on "IP and Development". It thanked the Chair, the Vice-Chairs, Secretariat and interpreters for their work.

554. The Delegation of Indonesia, speaking on behalf of the APG, commended and congratulated the Chair, the Vice-Chairs, delegations, Regional Coordinators, the Secretariat and interpreters. It welcomed the agreements reached at that session and looked forward to convening the International Conference on IP and Development. It also welcomed the resolution of Recommendations 5 and 11 of the Independent Review, and the discussion on Women and IP. It looked forward to participating actively in the discussion under the agenda item on "IP and Development" in the following sessions. The CDIP had achieved significant process.

555. The Delegation of Austria, speaking on behalf of the EU and its member states, congratulated and thanked the Chair, Vice-Chairs, delegations, the Secretariat and interpreters for their work. It appreciated the outcome of the session as reflected in the Summary by the Chair. It had constructively participated in the debates on all agenda items. A series of very interesting projects had been presented by the Secretariat and there had been fruitful discussions on a large number of topics. The successful course of that meeting confirmed the view that WIPO development programs delivered and responded appropriately to global changes, contributing to a wide range of aspects of global development. It would continue to constructively engage in future discussions on those issues. It was always ready to explore new ideas on how to promote development by means of making optimal use of IP and available resources in accordance with its mandate. It had been highly interesting to contribute to the new agenda item on Women and IP. Equality between women and men was a priority of the EU, thus it appreciated discussing that matter in the sphere of IP. It thanked the Delegation of Mexico for the constructive and flexible fashion in which it had put its proposal forward. It was glad to note the eventual success of that endeavor. It was equally pleased that the CDIP had solved a number of difficult issues and that it had unanimously agreed on future work. The success reflected the growing trust that had been built. It was very willing to proceed in that spirit in the future.

556. The Delegation of China commended the substantive progress made during that session. It appreciated the work of the Chair, delegations, the Secretariat and interpreters.

557. The Delegation of Tunisia expressed its great satisfaction as to the positive results of that session and thanked the Chair, Vice-Chair, the Deputy Director General Mr. Mario Matus, the Secretariat, interpreters and delegations for the excellent work accomplished.

558. The Delegation of the Iran (Islamic Republic of) thanked the Chair, delegations and the Secretariat for their efforts during the session. It hoped that the mutual trust that had prevailed at the session would be maintained for the upcoming sessions of the CDIP.

559. The Delegation of Brazil thanked all Member States for their constructive spirit, which had led to concrete and balanced outcomes. The CDIP had managed to build a very positive environment based on trust and mutual respect. It had to continue to work on confidence building, which was very important. It also thanked the Chair, the Secretariat and interpreters for their work.

560. The Delegation of Malaysia congratulated and thanked the Chair and Vice-Chairs on their stewardship in steering the work of the CDIP to a very successful session. It also appreciated the flexibility and constructive manner in which all Member States had engaged in that session. It noted the lively discussions on the agenda item of "IP and Development", noting the interest of the CDIP to examine all important IP related areas in an effort to harness the benefits of IP for development. It looked forward to continuing that meaningful conversation on the topics proposed and decided at that session, namely the Digital Environment, MSMEs, and the Creative Economy. It looked forward to the International Conference to exchange views on how to benefit from the IP system.

561. The Delegation of Nepal congratulated the Chair for his excellent job to make the 22<sup>nd</sup> session of the CDIP successful, as well as the Regional Coordinators. No agenda item had been deferred to the following session and the Committee had reached a conclusion on long-pending issues.

562. The Delegation of the Russian Federation joined in all of those who had made positive statements with regard to the Chair's chairmanship. It further thanked all delegations and the Secretariat for their efforts.

563. The Chair stated that he could not give the floor to all delegations due to time constraints. He thanked the Secretariat and the interpreters on their behalf. The session was closed.

[Annex follows]

## I. ÉTATS/STATES

(dans l'ordre alphabétique des noms français des États)/(in the alphabetical order of the names in French of the States)

### AFRIQUE DU SUD/SOUTH AFRICA

Kerry FAUL (Ms.), Head, National Intellectual Property Management Office (NIPMO), Department of Science and Technology, Pretoria

Nomonde MAIMELA (Ms.), Executive Manager, Companies and Intellectual Property Commission (CIPC), Department of Trade and Industry, Pretoria

Marumo Lubalalo NKOMO (Mr.), Director, Legal, Department of Trade and Industry, International Trade and Investment, Pretoria

### ALBANIE/ALBANIA

Dardana GRABOVAJ (Ms.), Specialist, Copyright Department, Ministry of Culture, Tirana

Sonila MEKA (Ms.), Specialist, Copyright Department, Ministry of Culture, Tirana

### ALGÉRIE/ALGERIA

Tarik SELLOUM (M.), directeur des marques, Institut national algérien de la propriété industrielle (INAPI), Alger

Fayssal ALLEK (M.), premier secrétaire, Mission permanente, Genève

Mohamed BAKIR (M.), premier secrétaire, Mission permanente, Genève

### ALLEMAGNE/GERMANY

Hans-Peter JUGEL (Mr.), Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva

Carl-Christian ZWICKEL (Mr.), Prosecutor, Federal Ministry of Justice and Consumer Protection, Berlin

Jan POEPEL (Mr.), Counsellor, Permanent Mission, Geneva

### ANGOLA

Francisco DAMIÃO ANTÓNIO (Mr.), Legal Technician, Support to the Director General, Angolan Institute of Industrial Property, Ministry of Industry, Luanda

Alberto Samy GUIMARAES (Mr.), Second Secretary, Permanent Mission, Geneva

ARABIE SAOUDITE/SAUDI ARABIA

Mohammed ALMAHZARI (Mr.), Deputy Director General for Administrative Affairs, Saudi Patent Office, King Abdulaziz City for Science and Technology (KACST), Riyadh

Fahad AL HARBI (Mr.), Examiner, Saudi Patent Office (SPO), King Abdulaziz City for Science and Technology (KACST), Riyadh

ARGENTINE/ARGENTINA

María Inés RODRÍGUEZ (Sra.), Ministro, Misión Permanente, Ginebra

ARMÉNIE/ARMENIA

Kristine HAMBARYAN (Ms.), Deputy Head, Intellectual Property Agency, Yerevan

AUSTRALIE/AUSTRALIA

Chantel COTTERELL (Ms.), Policy Officer, IP Australia, Canberra

AUTRICHE/AUSTRIA

Johannes WERNER (Mr.), Head, International Affairs Department, Austrian Patent Office, Vienna

Katrin AICHINGER (Ms.), Strategy Officer, Austrian Patent Office, Vienna

Carina ZEHETMAIER (Ms.), IP Attaché, Permanent Mission, Geneva

AZERBAÏDJAN/AZERBAIJAN

Sanan TAPDIGOV (Mr.), Deputy Chief of Staff, Intellectual Property Agency of the Republic of Azerbaijan, Baku

BAHAMAS

Bernadette BUTLER (Ms.), Minister Counsellor, Permanent Mission, Geneva

BAHREÏN/BAHRAIN

Yusuf ISMAEEL (Mr.), Director, Directorate of Media, Ministry of Information Affairs, Manama

BARBADE/BARBADOS

Chad BLACKMAN (Mr.), Ambassador, Permanent Representative, Permanent Mission, Geneva

Dwaine INNIS (Mr.), First Secretary, Permanent Mission, Geneva

BHOUTAN/BHUTAN

Tempa TSHERING (Mr.), Deputy Chief, Department of Intellectual Property, Ministry of Economic Affairs, Thimphu

BOLIVIE (ÉTAT PLURINATIONAL DE)/BOLIVIA (PLURINATIONAL STATE OF)

Ruddy José FLORES MONTERREY (Sr.), Representante Permanente Alterno, Encargado de Negocios a.i., Misión Permanente, Ginebra

Fernando Bruno ESCOBAR PACHECO (Sr.), Primer Secretario, Misión Permanente, Ginebra

BRÉSIL/BRAZIL

Samo GONÇALVES (Mr.), Second Secretary, Permanent Mission to the World Trade Organization (WTO), Geneva

Rafaela GUERRANTE (Ms.), Intern, Permanent Mission to the World Trade Organization (WTO), Geneva

BULGARIE/BULGARIA

Lyudmil KOTETZOV (Mr.), Head of Division, United Nations and Development Assistance Directorate, Ministry of Foreign Affairs, Sofia

BURKINA FASO

Wahabou BARA (M.), directeur général, Bureau burkinabé du droit d'auteur (BBDA), Ministère de la culture, des arts et du tourisme, Ouagadougou

Sibdou Mireille SOUGOURI KABORE (Mme), attachée, Mission permanente, Genève

CABO VERDE

Maria de Jesus VEIGA MIRANDA (Mme), ambassadeur, représentant permanent, Mission permanente, Genève

Abraão Andrade LOPES (M.), président, Institut de la qualité et de la propriété intellectuelle du Cabo Verde (IGQIP), Ministère de l'industrie, du commerce et de l'énergie, Praia

Carla MIRANDA SPINOLA (Mme), ministre plénipotentiaire, Mission permanente, Genève

### CAMEROUN/CAMEROON

Rodrigue NGANDO SANDJE (M.), chef, Cellule des études et du contentieux, secrétaire permanent de la Commission de contrôle des organismes de gestion collective du droit d'auteur et des droits voisins, Affaires juridiques, Ministère des arts et de la culture, Yaoundé

### CANADA

Saida AOUIDIDI (Ms.), Senior Policy Analyst, Policy and International Relations Office, Canadian Intellectual Property Office (CIPO), Gatineau

Amélie B. GOUDREAU (Ms.), Trade Policy Officer, Global Affairs, Ottawa

Nicolas LESIEUR (Mr.), First secretary, Permanent Mission to the World Trade Organization (WTO), Geneva

### CHINE/CHINA

YUAN Qi (Ms.), Deputy Director General, International Cooperation Department, National Intellectual Property Administration (CNIPA), Beijing

YANG Ping (Ms.), Project Administrator, National Intellectual Property Administration (CNIPA), Beijing

KANG Xin (Mr.), Assistant Consultant, Copyright Administration Department, National Copyright Office, Beijing

### CONGO

Ludovic Guy LOBOKO (M.), conseiller, Mission permanente, Genève

### CÔTE D'IVOIRE

Kumou MANKONGA (M.), premier secrétaire, Mission permanente, Genève

### CROATIE/CROATIA

Alida MATKOVIĆ (Ms.), Minister Counsellor, Permanent Mission, Geneva

Tanja MILOVIĆ (Ms.), Head, Education, Promotion and IP Development Section, State Intellectual Property Office, Zagreb

### CUBA

María de los Ángeles SÁNCHEZ TORRES (Sra.), Directora General, Oficina Cubana de la Propiedad Industrial, La Habana

### DANEMARK/DENMARK

Kim FOGTMANN (Mr.), Legal Adviser, Danish Patent and Trademark Office, Ministry of Industry, Business and Financial Affairs, Taastrup

#### DJIBOUTI

Oubah MOUSSA AHMED (Mme), conseiller, Mission permanente, Genève

#### ÉGYPTE/EGYPT

Ahmed Ibrahim MOHAMED (Mr.), Second Secretary, Permanent Mission, Geneva

#### EL SALVADOR

Diana Violeta HASBÚN (Sra.), Ministra Consejera, Misión Permanente ante la Organización Mundial del Comercio (OMC), Ginebra

#### ÉMIRATS ARABES UNIS/UNITED ARAB EMIRATES

Fawzi ALJABERI (Mr.), Director, Intellectual Works Department, Intellectual Property Sector, Ministry of Economy, Abu Dhabi

Abdelsalam AL ALI (Mr.), Director, Representative, Office of the United Arab Emirates to the World Trade Organization (WTO), Geneva

Ali AL HOSANI (Mr.), Under Secretary Assistant, Intellectual Property Sector, Ministry of Economy, Abu Dhabi

Shaima AL-AKEL (Ms.), International Organizations Executive, Office of the United Arab Emirates to the World Trade Organization (WTO), Geneva

#### ÉQUATEUR/ECUADOR

Diego Esteban AULESTIA VALENCIA (Sr.), Embajador, Misión Permanente ante la Organización Mundial del Comercio (OMC), Ginebra

Ñusta MALDONADO (Sra.), Segunda Secretaria, Misión Permanente ante la Organización Mundial del Comercio (OMC), Ginebra

Heidi VÁSCONES (Sra.), Tercera Secretaria, Misión Permanente ante la Organización Mundial del Comercio (OMC), Ginebra

ESPAGNE/SPAIN

Cristóbal GONZÁLEZ-ALLER (Sr.), Embajador, Representante Permanente, Misión Permanente, Ginebra

Carlos DOMÍNGUEZ DÍAZ (Sr.), Embajador, Representante Permanente Adjunto, Misión Permanente, Ginebra

Lucía GUTIÉRREZ GARCÍA (Sra.), Registradora Central de la Propiedad Intelectual, Subdirección General de Propiedad Intelectual, Ministerio de Educación, Cultura y Deporte, Madrid

Eva María PÉRTICA GÓMEZ (Sra.), Jefa de Servicio, Departamento de Coordinación Jurídica y Relaciones Internacionales, Oficina Española de Patentes y Marcas, O.A. (OEPM), Ministerio de Industria, Comercio y Turismo, Madrid

Marta MILLÁN GONZÁLEZ (Sra.), Técnica Superior, Subdirección General de Propiedad Intelectual, Ministerio de Educación, Cultura y Deporte, Madrid

Juan LUEIRO GARCÍA (Sr.), Consejero Diplomático, Misión Permanente, Ginebra

ÉTATS-UNIS D'AMÉRIQUE/UNITED STATES OF AMERICA

Marina LAMM (Ms.), Patent Attorney, Office of Policy and International Affairs, United States Patent and Trademark Office (USPTO), Department of Commerce, Alexandria, Virginia

Todd REVES (Mr.), Regional Intellectual Property Attaché for Mexico, Central America and the Caribbean, Embassy of the United States of America in Mexico, Mexico City

Yasmine FULENA (Ms.), Intellectual Property Advisor, Permanent Mission, Geneva

Kristine SCHLEGELMILCH (Ms.), Intellectual Property Attaché, Permanent Mission, Geneva

Deborah LASHLEY-JOHNSON (Ms.), Intellectual Property Attaché, Permanent Mission to the World Trade Organization (WTO), Geneva

William LEHMBERG (Mr.), Counsellor, Permanent Mission, Geneva

EX-RÉPUBLIQUE YOUGOSLAVE DE MACÉDOINE/THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Slobodanka TRAJKOVSKA (Ms.), Head, Section for Industrial Design and Geographical Indications, Department for Trademarks, Industrial Designs and Geographical Indications, State Office of Industrial Property (SOIP), Skopje

Natasha ZDRAVKOVSKA KOLOVSKA (Ms.), Deputy Head, General Department, State Office of Industrial Property (SOIP), Skopje

Slavica SPIROVSKA-GJORGJIEVSKA (Ms.), Senior Associate, Copyright and Related Rights Unit, Department of Normative and Administrative Affairs, Copyright and Related Rights, Ministry of Culture, Skopje

## FÉDÉRATION DE RUSSIE/RUSSIAN FEDERATION

Pavel SPITSYN (Mr.), Director, International Cooperation Department, Federal Service for Intellectual Property of the Russian Federation (ROSPATENT), Moscow

Galina MIKHEEVA (Ms.), Deputy Director, International Cooperation Department, Federal Service for Intellectual Property of the Russian Federation (ROSPATENT), Moscow

Elena KULIKOVA (Ms.), Head, Legal Department, Ministry of Foreign Affairs, Moscow

Yury ZAYTSEV (Mr.), Deputy Head of Quality Monitoring Center, Federal Institute of Industrial Property of the Russian Federation, Federal Service for Intellectual Property of the Russian Federation (ROSPATENT), Moscow

## FRANCE

Francis GUÉNON (M.), conseiller diplomatique, Pôle économique, Mission permanente, Genève

## GABON

Erick-Blaise NDONG-ABOGHE (M.), directeur général adjoint, Office gabonais de la propriété industrielle (OGAPI), Ministère de la promotion des investissements privés, du commerce, du tourisme et de l'industrie, Libreville

Edwige KOUMBY MISSAMBO (Mme), première conseillère, Mission permanente, Genève

## GHANA

Cynthia ATTUQUAYEFIO (Ms.), Minister Counsellor, Permanent Mission, Geneva

## GRÈCE/GREECE

Christina VALASSOPOULOU (Ms.), First Counsellor, Permanent Mission, Geneva

## GUATEMALA

Carlos Antonio CASTAÑEDA BOLAÑOS (Sr.), Asesor Jurídico, Registro de la Propiedad Intelectual, Ciudad de Guatemala

Flor de María GARCÍA DÍAZ (Sra.), Consejera, Misión Permanente ante la Organización Mundial del Comercio (OMC), Ginebra

## HONDURAS

Carlos ROJAS SANTOS (Sr.), Embajador, Representante Permanente Adjunto, Misión Permanente, Ginebra

Mariel LEZAMA PAVÓN (Sra.), Consejera, Misión Permanente, Ginebra

## INDE/INDIA

Nirmalya SINHA (Mr.), Deputy Controller, Patents and Designs, Department of Industrial Policy Promotion, Ministry of Commerce and Industry, Kolkata

Animesh CHOUDHURY (Mr.), Second Secretary, Permanent Mission, Geneva

## INDONÉSIE/INDONESIA

Hasan KLEIB (Mr.), Ambassador, Permanent Representative, Permanent Mission, Geneva

Fitria WIBOWO (Ms.), First Secretary, Directorate of Trade, Commodities, and Intellectual Property, Ministry of Foreign Affairs, Jakarta

Faizal Chery SIDHARTA (Mr.), Minister Counsellor, Permanent Mission, Geneva

Erry Wahyu PRASETYO (Mr.), Second Secretary, Permanent Mission, Geneva

## IRAN (RÉPUBLIQUE ISLAMIQUE D')/IRAN (ISLAMIC REPUBLIC OF)

Mohammad Hassan KIANI (Mr.), President, Intellectual Property Center, State Organization for Registration of Deeds and Properties, Tehran

Bahareh GHANOON (Ms.), Legal Expert, Legal and International Deputy, Ministry of Foreign Affairs, Tehran

Reza DEHGHANI (Mr.), Counsellor, Permanent Mission, Geneva

## IRAQ

Baqir RASHEED (Mr.), Second Secretary, Permanent Mission, Geneva

## IRLANDE/IRELAND

Michael GAFFEY (Mr.), Ambassador, Permanent Representative, Permanent Mission, Geneva

Mary KILLEEN (Ms.), Attaché, Permanent Mission, Geneva

## JAMAÏQUE/JAMAICA

Sheldon BARNES (Mr.), First Secretary, Permanent Mission of Jamaica, Geneva

### JAPON/JAPAN

Masaki EMA (Mr.), Deputy Director, International Policy Division, Japan Patent Office, Tokyo

Tomomi TAGUCHI (Ms.), Administration Officer, International Policy Division, Japan Patent Office, Tokyo

Ryoei CHIJIWA (Mr.), First Secretary, Permanent Mission, Geneva

Hiroki UEJIMA (Mr.), First Secretary, Permanent Mission, Geneva

### JORDANIE/JORDAN

Nidal AL AHMAD (Mr.), Director General, Department of the National Library, Ministry of Culture, Amman

Zain AL AWAMLEH (Ms.), Director, Industrial Property Protection Directorate, Ministry of Industry, Trade and Supply, Amman

Zeid ABUHASSAN (Mr.), Minister Plenipotentiary, Permanent Mission, Geneva

### KENYA

Edward SIGEI (Mr.), Executive Director, Kenya Copyright Board (KECOBO), Office of the Attorney General, Nairobi

David NJUGUNA (Mr.), Manager, Patents, Kenya Industrial Property Institute (KIPI), Nairobi

Daniel KOTTUT (Mr.), Minister Counsellor, Permanent Mission, Geneva

### KOWEÏT/KUWAIT

Abdulaziz TAQI (Mr.), Commercial Attaché, Permanent Mission, Geneva

### LETTONIE/LATVIA

Jānis GUOBIS (Mr.), Legal Adviser, Legal and Administrative Department, Patent Office of the Republic of Latvia, Riga

Liene GRIKE (Ms.), Advisor, Economic and Intellectual Property Affairs, Permanent Mission, Geneva

### LIBAN/LEBANON

Rana EL KHOURY (Ms.), First Secretary, Permanent Mission, Geneva

LIBÉRIA/LIBERIA

Eric G. CLINTON (Mr.), Assistant Registrar General, Industrial Property Department, Liberia Intellectual Property Office (LIPO), Monrovia

Garmai KOBOI (Ms.), Senior Examiner, Industrial Property Department, Liberia Intellectual Property Office (LIPO), Monrovia

LITUANIE/LITHUANIA

Renata RINKAUSKIENE (Ms.), Counsellor, Permanent Mission, Geneva

Joana PIPIRAITE (Ms.), Intern, Permanent Mission, Geneva

MADAGASCAR

Patrick RAKOTOARISON (M.), conseiller technique, Cabinet du Ministre, Ministère de l'industrie, du développement du secteur privé et des petites et moyennes entreprises, Antananarivo

MALAISIE/MALAYSIA

Priscilla Ann YAP (Ms.), First Secretary, Permanent Mission, Geneva

MALTE/MALTA

Nicoleta CROITORU-BANTEA (Ms.), Political Officer, Permanent Mission, Geneva

MAROC/MOROCCO

Ismail MENKARI (M.), directeur général, Bureau marocain du droit d'auteur, Ministère de la culture et de la communication, Rabat

Khalid DAHBI (M.), conseiller, Mission permanente, Genève

MAURITANIE/MAURITANIA

Babacar MOHAMED BABA (M.), directeur du développement industriel, Direction du développement industriel, Ministère du commerce, de l'industrie et du tourisme, Nouakchott

### MEXIQUE/MEXICO

Socorro FLORES LIERA (Sra.), Embajadora, Representante Permanente, Misión Permanente, Ginebra

Juan Raúl HEREDIA ACOSTA (Sr.), Embajador, Representante Permanente Alterno, Misión Permanente, Ginebra

Ricardo GALLEGOS MATHEY, Jefe, Asuntos Multilaterales, Divisional de Relaciones Internacionales, Instituto Mexicano de la Propiedad Industrial (IMPI), Ciudad de México

María del Pilar ESCOBAR BAUTISTA (Sra.), Consejera, Misión Permanente, Ginebra

### MYANMAR

Moe Moe THWE (Ms.), Deputy Director General, Intellectual Property Department, Ministry of Education, Nay Pyi Taw

### NAMIBIE/NAMIBIA

Benjamin SHINGENGE (Mr.), First Secretary, Acting Chargé d'affaires a.i., Geneva

Kleopas SIRONGO (Mr.), Commercial Counsellor, Geneva

### NÉPAL/NEPAL

Shatrughna Prasad PUDASAINEE (Mr.), Joint Secretary, Ministry of Industry Commerce and Supplies, Kathmandu

Bhuwan PAUDEL (Mr.), Second Secretary, Permanent Mission, Geneva

### NICARAGUA

Carlos Ernesto MORALES DÁVILA (Sr.), Representante Permanente Alterno, Misión Permanente, Ginebra

Nohelia Carolina VARGAS IDIÁQUEZ (Sra.), Primer Secretario, Misión Permanente, Ginebra

### OMAN

Hilda AL HINAI (Ms.), Deputy Permanent Representative, Permanent Mission to the World Trade Organization (WTO), Geneva

Mohammed AL BALUSHI (Mr.), First Secretary, Permanent Mission, Geneva

UGANDA/UGANDA

Gilbert AGABA (Mr.), Manager, Intellectual Property, Uganda Registration Services Bureau (URSB), Ministry of Justice and Constitutional Affairs, Kampala

George Tebagana (Mr.), Second Secretary, Permanent Mission, Geneva

PAKISTAN

Zunaira Latif (Ms.), Second Secretary, Permanent Mission, Geneva

PANAMA

Johana Méndez (Sra.), Segunda Secretaria, Misión Permanente ante la Organización Mundial del Comercio (OMC), Ginebra

PARAGUAY

Walter José Chamorro Miltos (Sr.), Segundo Secretario, Misión Permanente, Ginebra

PÉROU/PERU

Ray Augusto Meloni García (Sr.), Director, Dirección de Signos Distintivos, Instituto Nacional de Defensa de la Competencia y de la Protección de la Propiedad Intelectual (INDECOPI), Lima

Cristóbal Melgar (Sr.), Ministro Consejero, Asuntos Económicos, Misión Permanente, Ginebra

PHILIPPINES

Arnel Talisayon (Mr.), First Secretary, Permanent Mission, Geneva

POLOGNE/POLAND

Agnieszka Hardej-Januszek (Ms.), First Counsellor, Permanent Mission, Geneva

PORTUGAL

João Pina de Moraes (Mr.), First Secretary, Permanent Mission, Geneva

Francisco Saraiva (Mr.), First Secretary, Permanent Mission, Geneva

QATAR

Kassem Darwish FAKHROO (Mr.), Commercial Attaché, Permanent Mission to the World Trade Organization (WTO), Geneva

RÉPUBLIQUE ARABE SYRIENNE/SYRIAN ARAB REPUBLIC

Yasser SAADA (Mr.), Head, International Treaties Department, Directorate of Commercial Industrial Property Protection (DCIP), Ministry of Internal Trade and Consumer Protection, Damascus

RÉPUBLIQUE DE CORÉE/REPUBLIC OF KOREA

LEE Taeyoung (Mr.), Assistant Director, Multilateral Affairs Division, Korean Intellectual Property Office (KIPO), Daejeon

RÉPUBLIQUE DE MOLDOVA/REPUBLIC OF MOLDOVA

Lilia BOLOCAN (Ms.), Director General, State Agency on Intellectual Property (AGEPI), Chisinau

Svetlana MUNTEANU (Ms.), Counsellor of Director General, State Agency on Intellectual Property (AGEPI), Chisinau

RÉPUBLIQUE DOMINICAINE/DOMINICAN REPUBLIC

Ruth Alexandra LOCKWARD REYNOSO (Sra.), Directora General, Dirección General, Oficina Nacional de la Propiedad Industrial (ONAPI), Ministerio de Industria, Comercio y Mipymes, Santo Domingo

Lidia MEJIA VALDEZ (Sra.), Analista, Departamento de Relaciones Internacionales e Interinstitucionales, Oficina Nacional de la Propiedad Industrial (ONAPI), Ministerio de Industria, Comercio y Mipymes, Santo Domingo

RÉPUBLIQUE POPULAIRE DÉMOCRATIQUE DE CORÉE/DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

JONG Myong Hak (Mr.), Counsellor, Permanent Mission, Geneva

RÉPUBLIQUE TCHÈQUE/CZECH REPUBLIC

Evžen MARTÍNEK (Mr.), Lawyer, International Department, Industrial Property Office, Prague

### ROUMANIE/ROMANIA

Gratiela COSTACHE (Ms.), Head, Legal and European Affairs Division, State Office for Inventions and Trademarks (OSIM), Bucharest

### SÉNÉGAL/SENEGAL

Idrissa BA (M.), chef de la Division informatique, Agence sénégalaise pour la propriété industrielle et l'innovation technologique (ASPIT), Ministère de l'industrie et des petites et moyennes industries, Dakar

Abdoul Aziz DIENG (M.), expert, premier conseiller technique, Cabinet du ministre de la culture, Ministère de la culture, Dakar

Lamine Ka MBAYE (M.), premier secrétaire, Mission permanente, Genève

### SRI LANKA

Abdul Azeez ALIYAR LEBBE (Mr.), Ambassador, Permanent Representative, Permanent Mission, Geneva

Samantha JAYASURIYA (Ms.), Deputy Permanent Representative, Permanent Mission, Geneva

Shashika SOMARATNE (Ms.), Minister Counsellor, Permanent Mission, Geneva

### SUISSE/SWITZERLAND

Olga ALLEMANN (Mme), coordinateur de projet, Division du droit et des affaires internationales, Institut fédéral de la propriété intellectuelle (IPI), Berne

Reynald VEILLARD (M.), conseiller, Mission permanente, Genève

Zeinab GHAFOURI (Mme), stagiaire internationale, Division du droit et des affaires internationales, Institut fédéral de la propriété intellectuelle (IPI), Berne

### THAÏLANDE/THAILAND

Pajaree UNGTRAKUL (Ms.), Intern, Permanent Mission to the World Trade Organization (WTO), Geneva

### TOGO

Mnanta Komi LAMATETOU (M.), directeur général par intérim, Institut national de la propriété industrielle et de la technologie (INPIT), Ministère de l'industrie et du tourisme, Lomé

Afo Ousmane SALIFOU (M.), deuxième conseiller, Mission permanente, Genève

TRINITÉ-ET-TOBAGO/TRINIDAD AND TOBAGO

Ornal BARMAN (Mr.), Second Secretary, Permanent Mission, Geneva

TUNISIE/TUNISIA

Walid DOUDECH (M.), ambassadeur, représentant permanent, Mission permanente, Genève

Holla BACHTOBI (Mme), directrice générale, Direction générale des organisations et conférences internationales (DGOCI), Ministère des affaires étrangères, Tunis

Sami NAGGA (M.), ministre, Mission permanente, Genève

TURQUIE/TURKEY

Tuğba CANATAN AKICI (Ms.), Legal Counsellor, Permanent Mission to the World Trade Organization (WTO), Geneva

UKRAINE

Yuriy BALANYUK (Mr.), Deputy Director, State Organization National Intellectual Property Office, Kyiv

Ruslan STEFANCHUK (Mr.), Deputy Director, State Organization National Intellectual Property Office, Kyiv

VENEZUELA (RÉPUBLIQUE BOLIVARIENNE DU)/VENEZUELA (BOLIVARIAN REPUBLIC OF)

Jorge VALERO (Sr.), Embajador, Representante Permanente, Misión Permanente, Ginebra

Violeta FONSECA (Sra.), Ministra Consejera, Misión Permanente, Ginebra

Genoveva CAMPOS DE MAZZONE (Sra.), Consejera, Misión Permanente, Ginebra

VIET NAM

HOANG Duy Khanh (Mr.), Official, International Cooperation Division, National Office of Intellectual Property of Viet Nam (NOIP), Ha Noi

DAO Nguyen (Mr.), Second Secretary, Geneva

YÉMEN/YEMEN

Mohammed FAKHER (Mr.), First Secretary, Permanent Mission, Geneva

ZIMBABWE

Melody TANGA (Ms.), Principal Examiner, Zimbabwe Intellectual Property Office (ZIPO), Ministry of Justice, Legal and Parliamentary Affairs, Harare

II. ORGANISATIONS INTERNATIONALES INTERGOUVERNEMENTALES/  
INTERNATIONAL INTERGOVERNMENTAL ORGANIZATIONS

CENTRE SUD (CS)/SOUTH CENTRE (SC)

Viviana MUÑOZ TELLEZ (Ms.), Coordinator, Development, Innovation and Intellectual Property Programme, Geneva

Nirmalya SYAM (Mr.), Senior Programme Officer, Development, Innovation and Intellectual Property Programme, Geneva

Mirza ALAS PORTILLO (Ms.), Research Associate, Development, Innovation and Intellectual Property Programme, Geneva

Vitor IDO (Mr.), Researcher, Development, Innovation and Intellectual Property Programme, Geneva

Imadh Abdul AZEEZ (Mr.), Intern, Development, Innovation and Intellectual Property Programme, Geneva

COMMUNAUTÉ ÉCONOMIQUE ET MONÉTAIRE EN AFRIQUE CENTRALE (CEMAC)

Jose Antonio EDJANG NTUTUMU AVOMO (M.), commissaire en charge, Droits de l'homme et de la bonne gouvernance, Malabo

Gervais Donatien NGOVON-NGBELE (M.), directeur, Droits de l'homme et de la bonne gouvernance, Malabo

FÉDÉRATION DES CONSEILS ARABES DE RECHERCHE SCIENTIFIQUE  
(FCARS)/FEDERATION OF ARAB SCIENTIFIC RESEARCH COUNCILS (FASRC)

Mubarak MAGZOUN (Mr.), Secretary General, Khartoum

OFFICE DE L'UNION EUROPÉENNE POUR LA PROPRIÉTÉ INTELLECTUELLE  
(EUIPO)/EUROPEAN UNION INTELLECTUAL PROPERTY OFFICE (EUIPO)

Néstor MARTÍNEZ-AGUADO (Mr.), Expert, International Cooperation and Legal Affairs Department, Alicante, Spain

OFFICE DES BREVETS DU CONSEIL DE COOPÉRATION DES ÉTATS ARABES DU GOLFE (CCG)/PATENT OFFICE OF THE COOPERATION COUNCIL FOR THE ARAB STATES OF THE GULF (GCC PATENT OFFICE)

Wajid ALMUNEEF (Ms.), IP International Relations Officer, Secretariat General, Riyadh

Maha ALSHEIKH (Ms.), Senior International Relations Officer, Secretariat General, Riyadh

ORGANISATION DE COOPÉRATION ISLAMIQUE (OCI)/ORGANIZATION OF ISLAMIC COOPERATION (OIC)

Nassima BAGHLI (Ms.), Ambassador, Permanent Observer, Permanent Delegation, Geneva

Halim GRABUS (Mr.), Counsellor, Permanent Delegation, Geneva

ORGANISATION DES NATIONS UNIES POUR L'ALIMENTATION ET L'AGRICULTURE (FAO)/FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)

Ahmad MUKHTAR (Mr.), Economist, Trade and Food Security, Liaison Office, Geneva

ORGANISATION MONDIALE DE LA SANTÉ (OMS)/WORLD HEALTH ORGANIZATION (WHO)

Erika DUENAS (Ms.), Technical Officer, Essential Medicines and Health Products, Geneva

ORGANISATION MONDIALE DU COMMERCE (OMC)/WORLD TRADE ORGANIZATION (WTO)

Jayashree WATAL (Ms.), Counsellor, Intellectual Property, Government Procurement and Competition Division, Geneva

WU Xiaoping (Ms.), Counsellor, Intellectual Property, Government Procurement and Competition, Geneva

ORGANISATION RÉGIONALE AFRICAINE DE LA PROPRIÉTÉ INTELLECTUELLE (ARIPO)/AFRICAN REGIONAL INTELLECTUAL PROPERTY ORGANIZATION (ARIPO)

Said Hamad RAMADHAN (Mr.), Senior Patent Examiner, Industrial Property Operation, Harare

UNION EUROPÉENNE (UE)/EUROPEAN UNION (EU)

Florin TUDORIE (Mr.), Minister Counsellor, Permanent Delegation, Geneva

III. ORGANISATIONS NON GOUVERNEMENTALES/NON-GOVERNMENTAL ORGANIZATIONS

Association congolaise pour le développement agricole (ACDA)

Daldy Rustichel YOUNBOU BIAGHA (Mr.), Manager des organisations, Recherche et innovation, Brazzaville

Association européenne des étudiants en droit (ELSA International)/European Law Students' Association (ELSA International)

Sara PEIXOTO SILVA (Ms.), Head of Delegation, Brussels  
Belén CASTILLO DÍAZ (Ms.), Delegate, Brussels  
Rita Francisca DA COSTA TEMPORÃO REIS (Ms.), Delegate, Brussels  
Octavie RALET (Ms.), Delegate, Brussels  
Nídia REBELO (Ms.), Delegate, Brussels

Centre international pour le commerce et le développement durable (ICTSD)/International Center for Trade and Sustainable Development (ICTSD)

Clara DUCIMETIERE (Ms.), Representative, Geneva

Association internationale des éditeurs scientifiques, techniques et médicaux (STM)/International Association of Scientific Technical and Medical Publishers (STM)

André MYBURGH (Mr.), Counsel, Basel, Switzerland

Confederacy of Patent Information User Groups (CEPIUG)

Guido MORADEI (Mr.), Delegate, Varese, Italy

CropLife International/CropLife International (CROPLIFE)

Tatjana SACHSE (Ms.), Legal adviser, Geneva

Fédération internationale de la vidéo (IFV)/International Video Federation (IVF)

Scott MARTIN (Mr.), Legal advisor, Brussels

Fédération mondiale des organisations d'ingénieurs (FMOI)/World Federation of Engineering Organizations (WFEO)

Yvette RAMOS (Ms.), President, Swiss Engineering, Geneva

Foundation for a Centre for Socio-Economic Development (CSEND)

Raymond SANER (Mr.), Professor, Geneva

Health and Environment Program (HEP)

Madeleine SCHERB (Mme), président, Genève  
Pierre SCHERB (M.), conseiller juridique, Genève

Knowledge Ecology International, Inc. (KEI)

Thiru BALASUBRAMANIAM (Mr.), Geneva Representative, Geneva

Médecins Sans Frontières (MSF)

HU Yuanqiong (Ms.), Senior Legal and Policy Advisor, Geneva

Medicines Patent Pool (MPP)

Francis Charles Storar GORE (Mr.), Executive Director, Geneva  
Esteban BURRONE (Mr.), Head of Policy, Geneva  
Liudnyla MAISTAT (Ms.), Advocacy and Policy Manager, Geneva

Elena VILLANUEVA (Ms.), Advocacy and Policy Manager, Geneva  
Maica TRABANCO (Ms.), Associate Counsel, Geneva

Motion Picture Association (MPA)

Vera CASTANHEIRA (Ms.), Legal Advisor, Geneva

National Intellectual Property Organization (NIPO)

Arthur AKHRAMENKA (Mr.), Head, International Cooperation Division, National Center of Intellectual Property of the Republic of Belarus, Minsk

RSRIIP Intellectual Property Corporation (RSRIIP)

Vladimir LOPATIN (Mr.), Chief Executive Officer and Chairman of the Board, Moscow

IV. BUREAU/OFFICERS

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Vice-Présidents/Vice Chairs: Kerry FAUL (Mme/Ms.) (Afrique du Sud/South Africa)

Ray Augusto MELONI GARCÍA (M./Mr.) (Pérou/Peru)

Secrétaire/Secretary: Irfan BALOCH (M./Mr.) (OMPI/WIPO)

V. SECRÉTARIAT DE L'ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE (OMPI)/SECRETARIAT OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

Francis GURRY (M./Mr.), directeur général/Director General

Mario MATUS (M./Mr.), vice-directeur général/Deputy Director General

Irfan BALOCH (M./Mr.), secrétaire du Comité du développement et de la propriété intellectuelle (CDIP) et directeur, Division de la coordination du Plan d'action pour le développement/Secretary to the Committee on Development and Intellectual Property (CDIP) and Director, Development Agenda Coordination Division

Georges GHANDOUR (M./Mr.), administrateur principal de programme, Division de la coordination du Plan d'action pour le développement/Senior Program Officer, Development Agenda Coordination Division

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