

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

**Twenty-Third Session  
Geneva, May 20 to 24, 2019**

DRAFT REPORT

*prepared by the Secretariat*

1. The 23<sup>rd</sup> session of the Committee on Development and Intellectual Property (CDIP) was held from May 20 to 24, 2019.
2. The following States were represented: Afghanistan, Algeria, Angola, Argentina, Australia, Bahamas, Bangladesh, Belarus, Bolivia (Plurinational State of), Brazil, Bulgaria, Burkina Faso, Cabo Verde, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Croatia, Czech Republic, Dominican Republic, Djibouti, Ecuador, Finland, France, Gabon, Germany, Guatemala, Holy See, Honduras, India, Indonesia, Ireland, Iran (Islamic Republic of), Ivory Coast, Jamaica, Japan, Kazakhstan, Kenya, Korea (Democratic People's Republic of), Korea (Republic of), Kuwait, Latvia, Lebanon, Lesotho, Lithuania, Malaysia, Mali, Malta, Mexico, Moldova, Monaco, Morocco, Myanmar, Namibia, Nepal, Nigeria, North Macedonia, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Rwanda, Romania, Russian Federation, Senegal, Sierra Leone, South Africa, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Switzerland, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uzbekistan, Venezuela (Bolivarian Republic of) (89).
3. The following intergovernmental organizations ("IGOs") took part as observers: African Regional Intellectual Property Organization (ARIPO), Eurasian Patent Organization (EAPO), European Union Intellectual Property Office (EUIPO), Food and Agriculture Organization (FAO), 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 Trade Organization (WTO) (8).
4. Representatives of the following non-governmental organizations ("NGOs") took part as observers: Association des spécialistes de la propriété intellectuelle de Côte d'Ivoire (ASPICI), China Council for the Promotion of International Trade (CCPIT), European Law Students' Association (ELSA International), For Alternative Approaches to Addiction, Think and do tank (FAAAT), Health and Environment Program (HEP), Innovation Insights, International Federation of Film Producers Associations (FIAPF), Knowledge Ecology International, Inc. (KEI), Korea Institute of Patent Information (KIPI), Third World Network Berhad (TWN) (10).
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 Director General (DG) Mr. Francis Gurry opened the Session of the CDIP. He thanked the delegations for attending the International Conference on Intellectual Property (IP) and Development held the previous day. He stated that the Committee had a busy agenda with a number of items to be discussed, including the Report on WIPO's Contribution to the Implementation of the Sustainable Development Goals and its Associated Targets (CDIP/23/10), Evaluation Reports of two Development Agenda (DA) projects, namely the Project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II (CDIP/23/6) and the Project on Cooperation on Development and Intellectual Property Rights Education and Professional Training with Judicial Training Institutions in Developing and Least Developed Countries (CDIP/23/7). The Secretariat would present a

Prototype for a Web-Forum on Technical Assistance (CDIP/23/9) and the Committee would also consider a proposal submitted by the Russian Federation on “IP and Development in the Digital Environment” (CDIP/23/16). There were also two studies produced from DA projects; Summary of the Study on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt (CDIP/22/INF/4) and Summary of the Study on the Use of the Intellectual Property System in the Mining Sector in Brazil and Chile (CDIP/23/INF/2). He thanked Ambassador Hasan Kleib of Indonesia for the extraordinary work that he had done as Chair of the CDIP over the previous year.

## **AGENDA ITEM 2: ELECTION OF OFFICERS**

8. The Director General invited the Committee to propose candidates for the positions of the Chair and two Vice-Chairs.

9. The Delegation of Indonesia, speaking on behalf of the Asia and the Pacific Group (APG), nominated His Excellency Ambassador Mr. Hasan Kleib, Permanent Representative of the Republic of Indonesia, for re-election to the position of Chair.

10. The Delegation of Guatemala, speaking on behalf of the Group of the Latin America and Caribbean Countries (GRULAC), supported the nomination made by the APG and nominated Mr. Ray Augusto Meloni Garcia, Director, Dirección de Signos Distintivos, Instituto Nacional de Defensa de la Competencia y de la Protección de la Propiedad Intelectual (INDECOP), Peru, for re-election to the position of Vice-Chair.

11. The Delegation of Uganda, speaking on behalf of the African Group, supported the nominations for the position of Chair by the APG and Vice-Chair proposed by GRULAC. It nominated Ms. Kerry Faul, Head of the National Intellectual Property Management Organization (NIPMO), South Africa, for re-election to the position of Vice-Chair of the Committee.

12. Given the fact that there were no objections from the floor, Ambassador Hasan Kleib of Indonesia was elected as Chair of the CDIP and Mr. Ray Augusto Meloni García and Ms. Kerry Faul as Vice-Chairs.

13. The Chair welcomed the delegations to the 23<sup>rd</sup> session of the CDIP. He expressed his gratitude for their support and congratulated the Vice-Chairs on their re-election. He thanked the Committee and WIPO for the successful convening of the International Conference on IP and Development, one of the concrete materializations of the hard work of the CDIP. It was in the interest of all delegations that the current session of the CDIP built upon the achievements of previous sessions and supported the continued efforts of the DG, Dr. Francis Gurry, the Deputy Director General (DDG), Mr. Mario Matus, and their team in integrating and mainstreaming the DA and its underlying principles into the work of WIPO. Intellectual property continued to be an important driver for social, economic and cultural development, and the work of the Committee was crucial in advancing the discussion on topics relating to the role of IP and development and its current challenges. He highlighted that all pending issues had been concluded in the previous CDIP session and commended the commitment and hard work of all Member States. He hoped that the same positive and constructive spirit shown in the previous two sessions would be demonstrated at that session. The Committee would consider the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2) and the Report on WIPO's Contribution to the Implementation of the Sustainable Development Goals and its Associated Targets (CDIP/23/10). Furthermore, the Committee would discuss the topic “IP and Development in the Digital Environment” under the agenda item “IP and Development”. He encouraged Member States to contribute to the discussion, which aimed at addressing the

trends of IP transformation in the context of the digital economy and the need to adapt the strategy of IP offices. The Committee would also discuss the sub-agenda item on WIPO's Technical Assistance in the Area of Cooperation for Development; consider two Completion and two Evaluation Reports; and consider the Revised Project Proposal for the Development of the Music Sector and New Economic Models of Music in Burkina Faso and in Certain Countries of the West African Economic and Monetary Union (WAEMU) (CDIP/23/13). The Committee would also discuss the Project Proposal Submitted by the Plurinational State of Bolivia for the Registration of the Collective Marks of Local Enterprises as a Cross-cutting Economic Development Issue (CDIP/23/15), which aimed at enabling national offices to become a supporting, bolstering and monitoring system that facilitates the registration of the collective marks of local enterprises as a cross-cutting feature of production-based economic development. In relation to the Secretariat's Proposal on Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review and Options as Regards the Reporting and Reviewing Process (CDIP/23/8), he stated that the Secretariat had proposed 15 implementation strategies that addressed 9 Independent Review Recommendations. For each strategy, the Secretariat proposed a modality of implementation, providing a description of the actions to be undertaken for implementation. The Committee would discuss the proposal by the Secretariat and would also consider inputs put forward by a number of delegations. He mentioned that a tentative work program for the week's session had been made available and hoped that delegations agreed with the proposed distribution of work, bearing in mind that as the work progressed, there could be deviations from the work program as required. He stated that the process of preparation of the Summary by the Chair would remain according to the normal practice; after a discussion is concluded on each document or issue, a decision paragraph would be circulated by the Secretariat for the Committee's consideration. The Summary by the Chair would then constitute a compilation of those paragraphs. It would be kept factual, brief and to the point. He expressed his firm belief that with continued constructive engagement and active participation, the Committee would have prosperous deliberations and make good progress.

### **AGENDA ITEM 3: ADOPTION OF THE AGENDA**

#### Consideration of document CDIP/23/1 Prov. 2

14. The Chair invited the Secretariat to introduce document CDIP/23/1 Prov. 2, containing the Draft Agenda.
15. The Secretariat (Mr. Baloch) stated that the Draft Agenda had been prepared based on discussions held during the 22<sup>nd</sup> session of the CDIP and in accordance with previous commitments and Rule 5 of the General Rules of Procedure of WIPO. He mentioned that in case of any changes proposed by delegations the Secretariat would immediately revise and publish a revised version of the document.
16. The Agenda was adopted, given that there were no observations from the floor.

### **AGENDA ITEM 4: ACCREDITATION OF OBSERVERS**

#### Consideration of document CDIP/23/14

17. The Chair invited the Committee to consider the requests for *ad hoc* accreditation submitted by two non-governmental organizations (NGOs): *For Alternative Approaches to Addiction Think and do Tank* (FAAAT think and do tank) and *Geneva for Human Rights Global Training* (GHR).

18. The Delegation of China stated that it would not agree to grant accreditation to the NGO *Geneva for Human Rights Global Training*. It stated that from the information contained in document CDIP/23/14, the organization had no relation to IP.

19. The NGO *For Alternative Approaches to Addiction Think and do Tank* (FAAAT) was granted accreditation, on an *ad hoc* basis, for a period of one year. Due to the absence of consensus, the Committee decided not to grant accreditation to the NGO *Geneva for Human Rights Global Training* at that session.

## **AGENDA ITEM 5: ADOPTION OF THE REPORT OF THE TWENTY-SECOND SESSION OF THE CDIP**

### Consideration of document CDIP/22/18 Prov.

20. The Secretariat (Mr. Baloch) stated that the draft report for the 22<sup>nd</sup> session had been published on March 20, 2019. Member States had been invited to provide the Secretariat with any comments or corrections. The Secretariat had not received any comments or corrections. Changes or corrections decided upon in that session would be incorporated in the final report.

21. The Draft Report was adopted, given that there were no comments from the floor.

## **AGENDA ITEM 6: GENERAL STATEMENTS**

22. The Chair opened the floor for general statements.

23. The Delegation of Uganda, speaking on behalf of the African Group, reaffirmed the Committee's mandate to implement the DA through monitoring, assessing, discussing and reporting on the implementation of the DA and coordinating with all relevant WIPO bodies as well as discussing IP and development related issues. It stated that this underscored the principle underlining the Committee's mandate, that is, to change the culture of WIPO from focusing primarily on the protection of IP to introducing development dimensions into all programs and activities in line with the wide aspirations of the United Nations (UN) system. This reflected the ambition of WIPO to ensure that developing countries and least developed countries (LDCs) effectively used IP as a tool for encouraging and promoting innovation for sustainable development. The African Group welcomed the progress made in the implementation of the DA Recommendations through the mainstreaming of development in WIPO's programs and activities, the Director General's Report on the Implementation of the Development Agenda and the Coordination Mechanism. These were effective tools, but the Group's expectations remained high as for further engagement with all stakeholders to ensuring the effective implementation of the DA Recommendations. The Director General's tenth annual Report highlighted the mainstreaming of DA Recommendations into WIPO's programs and activities and key developments in the implementation of ongoing DA projects by linking DA Recommendations to Expected Results. It noted the wide range of topics that the Committee would discuss and welcomed the various reports and proposals submitted for consideration. It also welcomed and looked forward to the Secretariat's Proposal on Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review and Options as Regards the Reporting and Reviewing Process (CDIP/23/8), taking into account inputs submitted by Member States. It welcomed the ongoing efforts to consolidate the achievements of the Committee by elevating the level of debate through the new agenda item "IP and Development". It stated that the International Conference on IP and Development provided a platform for Member States and other stakeholders to engage in discussions on political, technological and socioeconomic dimensions of intellectual property, including recent

developments in IP and development, and their impact on the efforts of developing countries to harness gains from the IP system. It mentioned that the Conference had raised key issues for consideration, potentially within the Committee and other relevant bodies of WIPO. Those included the IP system and the digital divide, the importance and impact of data and data protection policies, the intersection with competition policy and the importance of local content in evaluating the appropriateness of an IP system for development. The Conference had also shown the need to expand IP protection to traditional knowledge systems. It hoped the discussions and evidence-based presentations given at the Conference would feed into the deliberations of the Committee and other WIPO bodies. The Group commended the Report (CDIP/23/10) compiling activities undertaken by WIPO and activities in partnership with other UN agencies and IGOs to contribute to the Sustainable Development Goals (SDGs), which had a better coverage than previous reports. It remained a work in progress and the Group looked forward to interactive discussions on the issue. The Group took note of the exponential evolution of digital and communication technologies, which had impact the way right holders protect their creations and how users of IP products access those products as well as the challenges facing both users and the public. It looked forward to the presentation by the Secretariat on IP and Development in the Digital Environment and the discussion on the proposal by the Russian Federation on the topic. It emphasized the importance of technical assistance and the need to deliver it in an efficient and coherent manner and to continue improving it. It therefore welcomed all initiatives geared towards making technical assistance and capacity building even more accessible to Member States and looked forward to the Prototype of a Web-Forum on Technical Assistance (CDIP/23/9), as well as the 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” and its Integration into the New Wipo Inspire Platform (CDIP/23/11). It stated that with 50 per cent of the global population not having access to the Internet, it viewed the proposal with caution and looked forward to an assessment of the web forum after six months of its existence, taking into account issues of access to the Internet. It underlined the importance of DA projects as a practical means to implement the DA Recommendations efficiently and thanked the Secretariat for the preparation of the Completion and Evaluation Reports of two DA projects.

24. The Delegation of Guatemala, speaking on behalf of GRULAC, stated that the discussions and exchanges of experiences that took place during the Conference held the previous day were an important contribution to the work that was carried out in each country to benefit from the IP system. It appreciated the publication of the Director General’s Report on the Implementation of the Development Agenda (CDIP/23/2), which presented an overview of the activities carried out in order to implement and integrate the DA in all relevant programs of WIPO. It affirmed the high relevance for the GRULAC region of the full incorporation of the DA Recommendations in all the substantive programs of WIPO and encouraged WIPO and Member States to ensure that development considerations continue to be an integral part of the work in the Committee. GRULAC stated that the SDGs, adopted unanimously by the UN General Assembly in 2015, represented the will of the international community to implement a broad set of objectives and goals, in order to put into practice the three dimensions of sustainable development, in other words, economic, social and environmental, which required global efforts. It read with great interest the Report on WIPO’s Contribution to the Implementation of the Sustainable Development Goals and its Associated Targets (CDIP/23/10). It recognized the effort of WIPO to align its work to the framework of the relevant SDGs and was of the opinion that the SDGs were cross-cutting and should continue to be implemented in the work carried out by WIPO as indicated in the mentioned document. The Delegation expressed the Group’s willingness to discuss the Member States Additional Inputs on the Way Forward on the Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review (CDIP/23/3) and the Secretariat’s Proposal on Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review and Options as Regards the Reporting and Reviewing Process (CDIP/23/8), with the objective of defining the modalities of

implementation of the adopted Recommendations. It looked forward to the discussion of the 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” and its Integration into the New Wipo Inspire Platform (CDIP/23/11). The Group supported the Project Proposal Submitted by the Plurinational State of Bolivia for the Registration of the Collective Marks of Local Enterprises as a Cross-cutting Economic Development Issue (CDIP/23/15) and hoped that it could be considered for adoption by the Committee. GRULAC would follow the discussion on the topic of IP and Development in the Digital Environment under the agenda item “IP and Development”. It was certain that as in previous sessions, the contributions and discussions that would take place would be of great usefulness for the work of the Committee.

25. The Delegation of Indonesia, speaking on behalf of the APG, stated that the International Conference held the previous day had provided a great opportunity for an open and dynamic discussion on the links between IP and development. It hoped that the dynamic exchange of meaningful insights could turn into concrete actions on the national, regional, as well as international level. It thanked the African Group for their proposal on convening the International Conference and all other delegations and regional groups for the constructive spirit shown in the Committee for the possibility of the convening of three consecutive conferences on IP and development. The APG indicated that the work of the Committee was important and that it would continue to support WIPO’s mission to lead the development of a balanced and effective international IP system that enables innovation and creativity for the benefit of all. One of the means to fulfill the mission of WIPO was through the implementation of the DA Recommendations. It mentioned that it had taken note of all the documents under the agenda item Monitor, Assess and Discuss the Implementation of the DA Recommendations and looked forward to discussing the Director General’s Report on the Implementation of the Development Agenda (CDIP/23/2) and the Report of WIPO’s Contribution to the Implementation of the Sustainable Development Goals and its Associated Targets (CDIP/23/10). The Group took note of the options presented by the Secretariat in relation to the Prototype of a Web-Forum on Technical Assistance (CDIP/23/9) and looked forward to deliberating the matter further. It welcomed the Secretariat’s Proposal on the Modalities and the Implementation Strategies for the Adopted Recommendations of the Independent Review and Options as Regards the Reporting and Reviewing Process (CDIP/23/8) and commended all Member States that had put forward inputs concerning the matter. It stated that the Independent Review Recommendations called for improvement in WIPO’s performance and work on the DA implementation and set out a process to take action on the Recommendations. The Group highlighted that the implementation of the DA was a long-term process and the Independent Review Recommendations were part of that process. The APG was ready to engage positively and constructively on the discussion on that agenda item. It had taken note of the Project Proposal Submitted by the Plurinational State of Bolivia for the Registration of the Collective Marks of Local Enterprises as a Cross-cutting Economic Development Issue (CDIP/23/15) and the Revised Project Proposal for the Development of the Music Sector and New Economic Models of Music in Burkina Faso and in Certain Countries of the West African Economic and Monetary Union (WAEMU) (CDIP/23/13), which proposed to facilitate the use of copyright and related rights in the music industry and strengthen the management of rights through new models in the digital environment, and looked forward to a fruitful discussion on those proposals. It looked forward to hearing and discussing the presentation by the Secretariat and to contributing to the deliberations under the topic of IP and Development in the Digital Environment and thanked the Delegation of the Russian Federation for the proposal under the agenda item “IP and Development”. It would contribute to the discussion aiming at addressing the trends of IP transformation in the context of digital environment and the need to adapt the development strategy of IP offices. It stated that the members of the APG would make interventions during the discussion on specific agenda items.

26. The Delegation of Croatia, speaking on behalf of the Central European and Baltic States (CEBS) Group, looked forward to the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2) that would enable a constructive dialogue. It was grateful for the Completion and Evaluation Reports of the Project on Cooperation on Development and Intellectual Property Rights Education and Professional Training with Judicial Training Institutions in Developing Countries and Least Developed Countries (CDIP/23/4 and CDIP/23/7). It also looked forward to the interesting project proposals and an enriching discussion under the agenda item "IP and Development". The Group was aware of the need to discuss strategies and implementation modalities for the adopted recommendations of the Independent Review and options concerning reporting and reviewing process from the inputs of Member States contained in document CDIP/23/3 and from the Secretariat's proposal contained in document CDIP/23/8. The CEBS Group believed that the International Conference on IP and Development held the previous day would enrich the session and thanked the organizers and the speakers.

27. The Delegation of Romania, speaking on behalf of the European Union (EU) and its member states, noted that the agenda of the session included a wide range of topics related to IP and development, and stated that it was ready to engage constructively in discussions on every agenda item. The EU and its member states had taken note of the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2) as well as the information contained in the Completion and Evaluation Reports of the two completed DA projects. It looked forward to discussing DA projects and activities as well as the agenda item "IP and Development". It also appreciated the Secretariat's Proposal on Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review and Options as Regards the Reporting and Reviewing Process (CDIP/23/8) and was of the view that it could serve as a good basis for discussions of the Committee.

28. The Delegation of Canada, speaking on behalf of Group B, welcomed the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2) as well as the Completion and Evaluation Reports on concluded DA projects. It stated that the documents were particularly useful in that they illustrated how WIPO implements the DA Recommendations and principles and provided a thorough overview of the projects' results that could then be factored in by the Member States wishing to introduce new project proposals. It highlighted that it would continue to engage constructively in discussions on the Independent Review Recommendations and welcomed the Secretariat's Proposal on Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review and Options as Regards the Reporting and Reviewing Process (CDIP/23/8). It thanked the Delegation of Burkina Faso for its Revised Project Proposal for the Development of the Music Sector and New Economic Models of Music in Burkina Faso and in Certain Countries of the West African Economic and Monetary Union (WAEMU) (CDIP/23/13) and the Delegation of Bolivia for its Project Proposal for the Registration of the Collective Marks of Local Enterprises as a Cross-cutting Economic Development Issue (CDIP/23/15). It emphasized that DA projects were crucial in enhancing the capacity of Member States to leverage the IP system for their socioeconomic development. It was thrilled to see Member States presenting project proposals that were innovative and concretely beneficial. It welcomed the discussions that had taken place at previous sessions of the Committee under the agenda item "IP and Development" and looked forward to fruitful discussions on the topic IP and Development in the Digital Environment.

29. The Delegation of China noted that there had been substantial progress in the Committee the previous year and some long-standing issues had been resolved. It highlighted that IP and development issues had been identified on the agenda, the Conference on IP and Development had been held, and implementation of the DA had progressed substantially. It commended the Secretariat's endeavors to enable developing countries' and LDCs' economies to benefit substantially from the DA and the efforts in promoting and mainstreaming development. China had been contributing to WIPO through the WIPO Funds in Trust (FIT) since 2014 and in 2019 it

would continue to contribute with USD 2.1 million. The fund would be mainly used to support the Agenda 2030 and SDGs, the Belt and Road Initiatives and provide technical assistance to developing countries. It added that with the support of the fund, the China National Intellectual Property Administration (CNIPA), previously SIPO, and WIPO, jointly edited a knowledge book for the youth. The English and Chinese versions of the book could be freely downloaded from WIPO's website. CNIPA would like to donate hard copies of the book to developing countries that would be interested. It planned to publish the copies of the book in other UN languages in the future. The Delegation highlighted that in April it held the second Belt and Road Cooperation Summit Forum where 6,000 delegates from 150 countries and 92 international organizations participated. It mentioned that the Chinese President, Mr. Xi Jinping, noted that imbalance in development was the largest imbalance confronting the whole world and called for international collaboration to provide more opportunities for developing countries to help them reduce poverty and realize sustainable development. It pointed out that China would intensify its efforts for international collaboration on IP to create an enabling environment. The Delegation highlighted that development was the biggest issue for the whole world, especially developing countries. IP could be utilized to promote development and innovation and it was an important pathway for social and economic progress. It stated that it wished to see joint development and collaboration and would engage in fruitful discussions within the Committee.

30. The Delegation of Tunisia aligned itself with the statement made by the Delegation of Uganda on behalf of the African Group. It commended the efforts of WIPO in favor of development and the implementation of the DA Recommendations. It expressed satisfaction with its mainstreaming in the WIPO Programs. It reiterated its satisfaction with the 22<sup>nd</sup> session that enabled the adoption of the proposal of the African Group to hold the International Conference and thanked WIPO for the excellent organization of the Conference with the topic How to Benefit from the System, which paid tribute to Member States that had worked in the spirit of commitment and good will to enable the initiative. It welcomed the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2), which highlighted a good number of activities undertaken by WIPO and reflected the efforts made by WIPO for the effective implementation of the DA Recommendations through the link to Expected Results. It mentioned that capacity building and technical assistance favoring innovation and technology transfer and the transfer of knowledge should be priority concerns. The technical assistance aspect in cooperation for development was particularly important in relations between WIPO and developing countries. It was pleased about the interactive dialogue on technical assistance that took place at the previous session and indicated that there was a need for an evaluation to improve the established tools and methods. It noted WIPO's commitment in implementing the SDGs and commended the considerable efforts in that regard, such as the improvement of its reports. The Delegation underlined that innovation and creativity were essential aspects in WIPO's activities and encouraged WIPO to continue its efforts in that area. It hoped that through the commitment of all Member States, the Committee would make considerable progress.

31. The Delegation of Iran (Islamic Republic of) aligned itself with the statement delivered by Indonesia on behalf of the APG. It stated that IP occupied a unique position in the economic system and its essential link with development was increasingly recognized as a cross-cutting policy issue that touched on everyday life and continued to be an important contributor to social, economic and cultural development. It mentioned that the work of the CDIP was of fundamental importance in advancing the deliberations on the role of IP and development and addressing related challenges. The Delegation highlighted that the role of WIPO was not only to promote creativity but also to facilitate the related technology transfer to developing countries in order to accelerate the economic, social and cultural development. It stressed that 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. It pointed out that the adoption of the DA Recommendations and establishment of the Committee had demonstrated a growing recognition among Member States that the incorporation of development into WIPO's work had to be a priority. Bringing the

development dimensions into WIPO's activities had strengthened the credibility of the IP system and encouraged its wider acceptance as an important tool for the promotion of innovation and development. The Committee was the only multilateral forum established for the purpose of exchanging ideas, experiences and best practices on topics related to IP and development. Its mandate played a fundamental role in the implementation of the DA Recommendations and enhancement of Member States' capacity to use IP as a tool for development. The Delegation mentioned that the development was a cross-cutting issue which touched upon all sectors of the Organization and required adequate cooperation among different Divisions in WIPO. It recalled Strategic Goal 3 of WIPO's Program and Budget in relation to facilitating the use of IP for development, and noted that spending approximately 20 per cent of WIPO revenues on development and technical assistance programs demonstrated the significance of development in the work of the Organization. It underlined that developing countries and LDCs put high expectations on the Committee due to its mandate and its place in WIPO's structure. It was hopeful that the Committee's functions and deliberations would answer those expectations.

32. The Delegation of India aligned itself with the statement made by the Delegation of Indonesia on behalf of the APG. It stated that the discussions held during the International Conference on IP and Development the previous day were rich and insightful. It requested the Secretariat to ensure that the lists of speakers of future conferences had a balanced representation from all geographical regions. It looked forward to the discussions on the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2) and the Report on WIPO's Contribution to the Implementation of the Sustainable Development Goals and its Associated Targets (CDIP/23/10). It emphasized that the SDGs were universal, integral and indivisible in character. Hence, each SDG was fully relevant to the scope of WIPO's activities. It looked forward to the discussions on the Secretariat's Proposal on Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review and Options as Regards the Reporting and Reviewing Process (CDIP/23/8), which made some valuable suggestions on technical assistance. It thanked the Secretariat for the Prototype of a Web-Forum on Technical Assistance (CDIP/23/9). The Delegation pointed out that technical assistance ought to be focused, uniform, and not duplicative. It also looked forward to the discussions on the proposal submitted by the Russian Federation on IP and Development in the Digital Environment. It reiterated that for a balanced and effective international IP system, it was imperative that there be a holistic view of its impact.

33. The Delegation of Morocco aligned itself with the statement delivered by the Delegation of Uganda on behalf of the African Group. It was pleased by the International Conference on Intellectual Property and Development where many ideas were shared by various experts. It had found the Conference very instructive and beneficial and awaited the next one. It reiterated the importance of the Committee's work, particularly implementing the DA Recommendations. It was generally accepted that the DA must be integrated into all of WIPO's activities. The Delegation noted the Director General's Report on Implementation of the Development Agenda (CDIP/23/2), which gave an overview of progress made throughout the Organization, as well as the Report on WIPO's Contribution to the Implementation of the Sustainable Development Goals and its Associated Targets (CDIP/23/10), and looked forward to the discussion on the reports. It stated that the SDGs were universal and linked among themselves. Each goal was relevant to WIPO's work and all stakeholders should make efforts to ensure that all of them were realized. It underlined that capacity building and technology transfer were essential for developing countries to continue implementation of the SDGs. It commended WIPO for the work done in that regard in the previous year and the Committee for its efforts to provide technical assistance and make it more accessible to Member States. It encouraged the Committee to redouble its efforts to ensure that the technical assistance rendered was effective. It looked forward to the discussions under agenda item "IP and Development".

34. The Delegation of Burkina Faso aligned itself with the statement made by the Delegation of Uganda on behalf of the African Group. It welcomed the International Conference on IP and Development that allowed Member States to have a better understanding of the importance of IP and its relevance for innovation and development. It appreciated the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2), which gave an overview of the Organization's progress on DA activities. Activities led by WIPO helped to achieve the SDGs. It welcomed the technical assistance that it had received and stated that WIPO had a fundamental role to play in capacity building within national offices, in line with the DA. It mentioned that there would be a session held in Burkina Faso on copyright and related rights for professionals from 15 countries from the African continent. The projects that Burkina Faso had submitted were important as they contributed to promoting the effective and efficient use of the IP system for socioeconomic development. It highlighted that the Project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries - Phase II had made it possible for beneficiary countries to have a better understanding of the importance of IP and its role in development. At the 22<sup>nd</sup> session of the Committee, it had submitted a new project proposal which had been reviewed with the help of the Secretariat (CDIP/23/13). It expressed hope that the discussion on the new proposal would result in approval during the session.

35. The Delegation of Costa Rica aligned itself with the statement delivered by the Delegation of Guatemala on behalf of GRULAC. It welcomed the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2) and urged WIPO to continue incorporating the development dimension in all of its programs, activities and committees. In accordance with the SDGs, the benefits of IP must permeate all sectors and leave no one behind. It was for that reason that the Committee's actions and its implications in other bodies of WIPO were especially important for Costa Rica. It was grateful for the support provided by WIPO to implement the Project on Cooperation on Development and Intellectual Property Rights Education and Professional Training with Judicial Training Institutions in Developing and Least Developed Countries. The material provided by the WIPO Academy, the distance learning module, and the books given to the Law School had served to train future judges and bring professionals up to date. The Delegation mentioned the project on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt (CDIP/15/7/Rev.) and expressed interest in being part of the second phase of the project. It highlighted that its tourism sector was one of the main sources of economic and social development and such a project would be a great opportunity to use IP tools to transform the tourism and service industries and generate more jobs and wealth.

36. The Delegation of Oman affirmed the importance of the work of the Committee as a forum for the implementation of the DA Recommendations. It welcomed the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2). It commended the Prototype of a Web-Forum on Technical Assistance (CDIP/23/9) and appreciated all the proposals made by delegations contained in the document titled Member States Additional Inputs on the Way Forward on the Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review (CDIP/23/3) and it stated that it would positively contribute to the work of the session.

37. The Delegation of Ecuador aligned itself with the statement made by the Delegation of Guatemala on behalf of GRULAC. It reiterated how important IP was as a tool to promote socioeconomic development and stated that it was committed to a fair IP system that provided knowledge and innovation to society in an inclusive way. It commended WIPO for organizing the International Conference on IP and Development and highlighted that such events were necessary to understand how the IP system was a tool for development rather than an end in itself. It appreciated the progress made by WIPO towards the SDGs, in particular in relation to Goal number 8 and the role that capacity building played for young entrepreneurs. It expressed its commitment to the discussions in the Committee.

38. The Delegation of Malaysia aligned itself with the statement delivered by the Delegation of Indonesia on behalf of the APG. It stated that IP had assumed a central position in the economic system, crucial to development, and it was recognized as a crosscutting policy issue. The WIPO 45 DA Recommendations, along with the SDGs, underscored the important role of WIPO, not only in promoting creative and intellectual activity, but also in facilitating its success for economic, social and cultural development. It welcomed WIPO's commitment to ensuring a balanced IP system as spelt out in the Organization's mission statement, and was pleased that development considerations continued to be a priority in 2020-2021 WIPO's Program and Budget, with an amount of CHF 136 million or approximately 18 per cent allocated to development expenditure. It appreciated and welcomed further deliberation on the Director General's Report on Implementation of the Development Agenda (CDIP/23/2) and the Report on WIPO's Contribution to the Implementation of the Sustainable Development Goals and its Associated Targets (CDIP/23/10). It noted that significant progress had been made in previous discussions on technical assistance in the area of cooperation for development. It thanked the Secretariat for preparing the Prototype of a Web-forum on Technical Assistance (CDIP/23/9) and looked forward to further deliberating the two options presented in the document. As regards agenda item 8 on Consideration of Work Program for Implementation of Adopted Recommendations, it recognized the various project proposals as well as the inputs of Member States and the Secretariat's proposal on the way forward on the modalities and implementation strategies for the adopted recommendations of the Independent Review. It placed great importance on the agenda item "IP and Development" and anticipated a meaningful discussion on the topic of IP and Development in the Digital Environment, in line with the effort to facilitate the implementation of the third pillar of the Committee's mandate and maximize the contribution of IP in advancing development. It commended the Secretariat and all participants for a successful International Conference on IP and Development held the previous day. The Conference had provided a useful platform to discuss concrete examples and experiences where IP contributed to development. It stated that the congregation of different panelists from across the globe, made up of policymakers, IP and development practitioners and academia, among others, sharing insights in different domains, allowed for a rich exchange. It supported the hosting of another Conference in the coming biennia and looked forward to discussing useful topics. It reiterated the importance of striking a balance between the interests of inventors and those of the public and stated that it continued to regard the Committee as an important platform for developing countries to use IP to their benefit.

39. The Delegation of the Republic of Korea recognized the positive progress made by the Committee over the years towards implementing the DA Recommendations. It stated that IP-related projects would promote a balanced growth among developed and developing countries. However, the gap between developed and developing countries could potentially become severe with new advancing technologies of the fourth Industrial Revolution. That was the reason why the Korean Intellectual Property Office (KIPO) continually worked to bridge the IP divide through various projects that supported developing countries. As part of those efforts, KIPO had concluded an IP sharing project to develop an eco-friendly fabric weaving technology to create collective marks for the silk industry in Viet Nam with the goal of strengthening the region's clothing industry. It had also carried out a project in Mongolia for developing a greenhouse vegetable cultivation technology to improve agriculture productivity. It highlighted that KIPO had implemented 22 appropriate technology projects in 13 countries to meet the needs of developing countries. In order to help bridge the IP divide among Member States, it continued to collaborate with WIPO through the utilization of the Funds-in-Trust to implement projects. KIPO and WIPO had worked together to host 18 appropriate technology competitions in 12 different countries. It stated that KIPO aimed to provide a variety of opportunities for IP education in order to improve human resource capacities through close cooperation with the WIPO Academy. Under the Funds-in-Trust, it was administering training courses on patent, trademark and design laws and examinations in which many examiners from developing countries participated. It acknowledged the importance of the DA in the copyright area. For fair exploitation and equitable remuneration

of copyrights, it was essential that the legal and administrative framework be firmly established, especially as creative works were accessible across borders due to globalization. The Republic of Korea was providing technical assistance through the Funds-in-Trust based on its rich experience in the copyright area. Its aim was to provide public awareness of copyright and support the strengthening of the copyright system. It reaffirmed its commitment to having constructive discussions regarding such endeavors.

40. The Delegation of Bolivia (Plurinational State of) aligned itself with the statement made by the Delegation of Guatemala on behalf of GRULAC. It looked forward to the work of the Committee, recognizing that IP could be a key factor in contributing to economic growth and development, when used in a balanced way. It stated that it was important to implement projects in the context of SDGs. The SDGs were especially relevant for the DA to ensure that every country had an IP system that was adapted to its specific needs. The Delegation would present a Project Proposal on the Registration of the Collective Marks of Local Enterprises as a Cross-cutting Economic Developing Issue (CDIP/23/15). It pointed out that the project was based on Recommendations 4, 13 and 42 of the DA and its aim was to ensure that national IP offices could have the necessary tools to be a link between collective registration of marks and local development through support for SMEs. Bolivia and other developing countries, had a productive state economy driven by social, community, and farmers' associations, including SMEs. As a result, the project focused on SMEs for them to be able to benefit from the protection of trademarks. It requested the support of other Member States to facilitate the approval of the proposal.

41. The Delegation of Senegal aligned itself with the statement made by the Delegation of Uganda on behalf of the African Group. It highlighted the importance of the Committee's mandate and the high-level discussions held under the agenda item "IP and Development", which was relevant for understanding the link between IP and development and showed the role and contribution of WIPO in supporting the development of Member States. It commended WIPO for its role in technical assistance and capacity building, the WIPO Academy and the partnership system. It expressed its support for WIPO in drafting national policies and strategies to improve the legal and institutional IP framework. It highlighted the activities undertaken under the Project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II. The Completion and Evaluation Reports of the project contained in documents CDIP/23/5 and CDIP/23/6 showed the significance of the project. The Delegation stated that the crosscutting role of innovation and creativity as a driver of growth and a tool for achieving the universal goal of development was clear. It expressed its support for WIPO's commitment to bolster the implementation of the SDGs and welcomed the Report on WIPO's Contribution to the Implementation of the Sustainable Development Goals and its Associated Targets (CDIP/23/10). It congratulated Burkina Faso for demonstrating inclusiveness and openness by accepting to present the Revised Project Proposal for the Development of the Music Sector and New Economic Models of Music in Burkina Faso and in Certain Countries of the West African Economic and Monetary Union (WAEMU) (CDIP/23/13). It fully supported the proposal and was committed to participate constructively in the discussions during the session.

42. The Delegation of Brazil aligned itself with the statement made by the Delegation of Guatemala on behalf of GRULAC. It thanked the African Group for proposing and pushing forward the proposal to hold an International Conference on IP and Development and WIPO for making it happen. It pointed out that the Conference was successful and conferences of such nature were an opportunity for Member States to learn from experts and exchange ideas and experiences on a variety of topics related to IP and development. It had a clear vision of the key role that IP could play in the economy and was taking strides to improve its IP institutional framework to further increase the level of innovation of the economy. It highlighted that innovation was the main driver of a country's competitiveness and economic growth in the medium and long term. The latest data provided by the World Bank showed that research and

development (R&D) expenditure in Brazil as a proportion of the GDP had reached 1.3 per cent in 2015. It was the highest in Latin America and higher than some OECD countries. Notwithstanding the fact that the levels of R&D spending were an important proxy to innovation, they were not synonymous, and given its levels of R&D expenditure, Brazil should be a much more innovative economy. The Delegation highlighted that an ecosystem that fostered innovation depended on a variety of factors and, cognizant of that fact, it was putting in place a set of instructor reforms that would not only improve the business environment but also further integrate it into the world economy. IP was an integral part of the agenda to render the business environment more friendly and competitive. It pointed out that in the following four years, it would adopt a number of measures to develop a more effective IP system with special focus in converting innovation and creativity into tangible commercial assets. It stressed that in order to be sustainable it had to ensure that the fruits of human ingenuity were enjoyed as widely as possible while preserving proper incentives and rewards for innovators and creators. That was of paramount importance to the credibility and legitimacy of the IP system. Brazil remained fully committed to an inclusive, balanced and development-oriented IP system to the benefit of all. In light of the advances made in the previous sessions of the Committee, the current session had started on a more positive environment, due to Member States managing to compromise and reach agreements on some long-standing issues and opening space to further progress. It invited Member States to engage constructively in the discussions and reach agreements on unresolved topics. It was important to move forward with the discussion on the adopted recommendations of the Independent Review. It commended the proposals put forward by Member States and reiterated its willingness to reach an agreement. It underlined the importance of the SDGs, that WIPO as a specialized Agency of the UN had the responsibility to reflect how the Organization could encourage the appropriate and comprehensive treatment of the topic. It pointed out that the implementation of projects was an important means to achieve tangible results in terms of IP and development and commended all delegations for their efforts in putting forward new projects.

43. The Delegation of Egypt aligned itself with the statement made by the Delegation of Uganda on behalf of the African Group. It underlined the importance of the work of the Committee, especially in the implementation of the SDGs. It valued the role played by WIPO in the transfer of technology, especially to developing countries and LDCs, as that would strengthen the utilization of IP as a tool in attaining development. It appreciated the International Conference on IP and Development held the previous day that covered the various aspects and dimensions of IP and its effect on development. It welcomed the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2) and the Report on WIPO's Contribution to the Implementation of the Sustainable Development Goals and its Associated Targets (CDIP/23/10). It highlighted that it was grateful for the positive results that emanated from the Project on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt. The project had increased the awareness of those who worked in the field of tourism and culture as to the importance of IP. It appreciated the Summary of the Study on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt (CDIP/22/INF/4) and thanked WIPO for the implementation of the project.

44. The Delegation of Cote d'Ivoire aligned itself with the statement made by the Delegation of Uganda on behalf of the African Group. It welcomed the International Conference on IP and Development that demonstrated high quality work and the relevance of the topic for development. It took note of the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2) and expressed its support to the implementation of the DA. It commended the Secretariat for carrying out the Project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II, as it was one of the beneficiaries of the project. It welcomed the Revised Project Proposal for the Development of the Music Sector and New Economic Models of Music in Burkina Faso and in Certain Countries of

the West African Economic and Monetary Union (WAEMU) (CDIP/23/13). The proposal was a logical continuation of the previous project, which would ensure the sustainable and positive impact on the audiovisual sector in beneficiary countries. It welcomed and encouraged efforts of countries to achieve the SDGs and looked forward to delegations supporting such a universal cause. Its indicators represented a key milestone in ensuring comprehensive development. It encouraged delegations to contribute to the success of the work of the Committee.

45. The Delegation of Pakistan aligned itself with the statement made by the Delegation of Indonesia on behalf of the APG. It stated that the work of the Committee was important to support WIPO's mission for the development of a balanced and effective international IP system for the benefit of all Member States. The work program for the implementation of DA Recommendations hinged on effective progress in the Committee. It appreciated the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2). The report highlighted positive trends, implementation and mainstreaming of the DA within WIPO's Program and Budget activities. The Delegation commended the initiatives mentioned in that Report, such as the Inventor Assistance Program and the Accessible Books Consortium, and requested the Secretariat to increase the resources to assist Member States to facilitate access to published works in accessible format for visually challenged persons. It highlighted that artificial intelligence (AI) was an important aspect and WIPO's Advanced Technology Application Center (ATAC) had an important role in using AI in certain areas, including translation, image search and automatic patent classifications. It suggested that WIPO enhanced the role of ATAC to work with IP offices in assisting them with coherent ICT strategy, management of IP, big data and use of AI for IP administration. It acknowledged the important role of the WIPO Academy in providing training on IP related issues essential for innovation and suggested that independent academic reviewers evaluated the effectiveness of courses for development-oriented activities. The Delegation added that the subsequent Director General's Report should also highlight the cost imposed by the IP system on the ability of developing countries to meet their development goals and possible ways of mitigating such costs. It suggested that the Secretariat develop more tools as part of the DA Recommendations and increase the scope of its work on IP-related flexibilities, access to knowledge and transfer of technologies with a development-oriented approach. It highlighted the Report on WIPO's Contribution to the Implementation of the Sustainable Development Goals and its Associated Targets (CDIP/23/10) and stated that WIPO had a key role in assisting Member States in attaining their development objectives. It encouraged Member States to harness the full potential of WIPO's program and activities for implementation of all SDGs. Future reports should also focus on issues of fair and affordable access to IP protected technologies in order to implement effectively the SDGs. It should also include an impact assessment of WIPO's contribution in the implementation of the SDGs and linkages between SDGs and WIPO activities. The Secretariat should guide Member States about the projects that offer more potential in terms of their effectiveness for IP and development. The report should also undertake an assessment of best practices on the implementation of SDGs by other UN agencies and IGOs. It looked forward to a constructive discussion on the Secretariat's Proposal on Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review and Options as Regards the Reporting and Reviewing Process (CDIP/23/8). It hoped for positive discussions on the Prototype of a Web-Forum on Technical Assistance (CDIP/23/9) and pointed out that to ensure effective delivery of technical assistance there was a need to devise a mechanism to avoid duplication of activities. It suggested that the Secretariat compile a review of literature on the relationship between IP and innovation to test certain conventional assumptions in that regard. It looked forward to a substantive discussion on the topic of IP and Development in the Digital Environment and stated that the discussions held at the International Conference on IP and Development on the previous day were important and covered a wide range of issues. It suggested that such discussions should include more case studies and focus on IP related flexibilities for developing countries. The Delegation added that the topics of discussion under the agenda item "IP and Development" should not only consider positive impact of IP, but also

provide a roadmap for Member States to overcome challenges in terms of access to technology and costs of the development of IP laws and policies in developing countries.

46. The Delegation of Japan aligned itself with the statement made by the Delegation of Canada on behalf of Group B. It stated that since 1987 it had made voluntary contributions to WIPO every year for WIPO's development initiatives in the field of IP and that in 2019 it was contributing CHF 6.3 million. Making effective use of the voluntary contributions, Japan had been implementing a variety of assistance programs for developing countries in the Asian, Pacific and African regions in the field of industrial property. Its patent office had invited more than 1,800 trainees since 1996, from 59 countries and 4 regional IP offices, and had sent more than 300 experts to 38 countries since 1987. The work plan included workshops, seminars and support for the IP offices to introduce or upgrade their IP infrastructure. It had also been assisting WIPO to advance initiatives on the enhancement of technical and knowledge infrastructure, which increased digitalization of paper-based applications and improvement in IT infrastructure in the IP offices. In the field of copyright, it had been supporting the development of the culture and content industry in the Asian and Pacific region by establishing copyright systems and developing human resources. Under the Japan Funds-in-Trust, various activities, such as organizing seminars and symposia, dispatching copyright experts and welcoming more than 370 trainees from 28 countries had been implemented. The Japan Funds-in-Trust for the Asia-Pacific region marked the 30<sup>th</sup> anniversary in 2017 and the Funds-in-Trust for Africa and LDCs marked the 10<sup>th</sup> anniversary in 2018. It recognized the importance of conducting development activities efficiently and effectively in line with the objectives of WIPO to promote the protection of IP. The two Funds-in-Trust had been transformed into the Japan Funds-in-Trust for Global Intellectual Property to expand the target regions in the fiscal year 2019. Activities under the new Japan Funds-in-Trust for Global IP would support countries whose economic and technological growth required an effective framework for the development of IP. It was committed to further improving its cooperative initiatives with WIPO to ensure that the Funds-in-Trust were used even more effectively and efficiently.

47. The Delegation of South Africa aligned itself with the statement made by the Delegation of Uganda on behalf of the African Group. It expressed hope that the Committee would attain practical outcomes to enable Member States to take a step closer to achieving a developmental IP system that took into account the unique challenges of developing countries and attempted to close the gap between developed and developing countries. The work of the Committee remained rooted in the DA Recommendations adopted by Member States more than a decade ago. The DA Recommendations were a welcome addition to the work of WIPO and ensured that the Organization's activities were not detached from the broader developmental imperatives that guide the work of the UN, of which WIPO was a key component. The work of the UN was significantly streamlined when the global community adopted the 2030 Agenda for Sustainable Development. The United Nations recognized that for the SDGs to be achieved, the work of all UN agencies would need to be aligned and integrated. WIPO had a unique and important opportunity to make meaningful contributions to the attainment of the SDGs and to ending poverty, achieving a more gender balanced world, and ultimately the realization of a more prosperous and inclusive international society. Such opportunity should not be missed. The linkage of SDGs and the DA Recommendations should be a natural and key component of WIPO's work. It expected WIPO's contribution to be more pronounced in the area of innovation and bridging the digital divide but that did not mean that WIPO did not have a role to play in all other SDGs. The Recommendations of the Independent Review should be integral to the work of the Committee as they sought to address the gaps identified in the implementation of the DA Recommendations. The Delegation stressed that it had always believed that all the Recommendations of the Independent Review were appropriate and should be adopted and implemented. It recognized that differences remained with regard to Recommendations 5 and 11 and it remained open to discussions to bridge the differences. It stated that Member States had listened to presentations and discussions on the role of the IP system in fostering innovation and

how it benefited creativity as well as its interlinkages with various global issues at the International Conference held the previous day. It had become clear that IP had a bigger role to play in society's progress and could no longer be viewed in narrow terms. It pointed out that the discussions that took place at the Conference were exactly what the African Group had in mind when it had made the proposal. It looked forward to a report on the key issues that emanated from the Conference. It noted that the Committee had a full agenda and looked forward to the reports and documents that would be presented, including the Director General's Report on the Implementation of the Development Agenda (CDIP/23/2), Report on WIPO's Contribution to the Implementation of the Sustainable Development Goals and its Associated Targets (CDIP/23/10) and Member States Additional Inputs on the Way Forward on the Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review (CDIP/23/3). In relation to the latter, the Delegation had submitted its proposal that called for the need to develop impact indicators that would allow the Committee to track and assess the impact of the DA Recommendations. It looked forward to discussing the proposal further.

48. The Delegation of the Syrian Arab Republic aligned itself with the statement made by the Delegation of Indonesia on behalf of the APG. It welcomed the International Conference on IP and Development and appreciated WIPO's efforts to implement the SDGs and its contribution to the development of IP. Those efforts were represented by the assistance rendered by WIPO in the implementation of national plans that aimed at using IP as an important tool in the achievement of economic development. Despite the difficult circumstances that Syria had witnessed, it participated in development projects thanks to WIPO and the Regional Bureau for Arab Countries. It had had local experiences in the context of training activities in order to establish a unit on innovation, technology transfer and support to SMEs, as well as raising awareness and IP propagation. It looked forward to a fruitful session of the Committee and hoped that all the activities, programs and studies undertaken by WIPO would be in the interest of developing countries, particularly in relation to technology transfer and the use of the web forum.

**AGENDA ITEM 7: MONITOR, ASSESS, DISCUSS AND REPORT ON THE IMPLEMENTATION OF ALL DEVELOPMENT AGENDA RECOMMENDATIONS AND CONSIDERATION OF THE DIRECTOR GENERAL'S REPORT ON THE IMPLEMENTATION OF THE DEVELOPMENT AGENDA**

Consideration of document CDIP/23/2 – Director General's Report on the Implementation of the Development Agenda

49. The Chair invited the DG to introduce the Director General's Report on the Implementation of the Development Agenda contained in document CDIP/23/2.

50. The DG, Mr. Francis Gurry, stated that the report was a factual document. The first part gave highlights of the implementation and the mainstreaming of the DA into the regular program of WIPO and in its treatment by other WIPO committees and bodies. The second part described some key developments in the implementation of DA projects. The DG added that there were a series of annexes which provided factual and historical details on the 45 DA Recommendations, their status of implementation, and the number of projects that had been underway. The DG expressed hope that it was apparent from the report that WIPO had made efforts to mainstream the DA Recommendations, which was one WIPO's principle objectives, and that its development program was demand driven. In relation to mainstreaming, the Organization had a rich menu of services to provide any interested Member State and assist it in using intellectual property in their development objectives and as an important component of the innovation and cultural production ecosystems. There were many activities covering the legal and institutional framework, that was, on legislative and policy advice at the request of Member States. Significant efforts had been

made in the technical infrastructure underlying intellectual property administration, not just through the Intellectual Property Automation System (IPAS) used in over 80 developing, least developed and transition countries, but also the Technology and Innovation Support Centers (TISCs), which were 750 worldwide with a continuously increasing demand. The technical infrastructure aspect had received good feedback from all of the Member States and good use. On human capacity building, the WIPO Academy in 2018 had dealt with over 90,000 participants from all around the world. The public private partnerships, notably the Accessible Books Consortium (ABC), had an increasingly large repertoire of works in accessible formats made available to authorized entities around the world. The WIPO Re: Search and the public private partnerships were making available scientific information either in the form of scientific, technical and medical journals or in the form of commercial databases of patent information providers. The range of services provided across the Organization were considerable, including the projects approved in the CDIP. There had been 39 such projects implementing 34 of the DA Recommendations, with a total value of CHF 32 million. There were five projects under implementation, two were coming up for consideration of the evaluation in that session, and there had been four new proposals. The projects had proven to be a very good means of supplementing the regular program with specific targeted action for sectors such as the audiovisual sector, IT, tourism, gastronomy, among others, across the sphere of the economy. As they were concluded and evaluated, they were mainstreamed into the activities of the Organization. The DG stated that one of the primary vehicles used to ascertain the demand from countries were the national IP strategies; there were 63 such strategies that had been concluded, and 13 were in the course of development or in progress. They provided a good means for countries to articulate the forms of assistance that they would seek from the Organization and to tailor those forms of assistance to the specific development objectives, economic circumstances and context of the country. They had channeled the demand from Member States into concrete programs of action that could take advantage of the extensive menu of services available from the Organization. It was a complex program considering the regular budget of the DA projects and WIPO would continue to give a coherent picture of the complex and extensive program, cognizant of the fact that over 18 per cent of the expenditure of the Organization was on development and development cooperation. The DG pointed out that following the guidance of the Committee, the Report provided linkages to the SDGs and the DA. In the program reports and in program documents, of the 31 programs, 22 contained linkages to the SDGs and of the 31 programs, 21 contained specific linkages to the DA Recommendations.

51. The Delegation of Tunisia welcomed the Report and the methodology adopted, which took into account the recommendations of the Committee. It pointed out that a number of activities had been undertaken by WIPO in 2018 and the Organization was engaged in the implementation of the DA, which was a priority. The process of implementation was inclusive and should be to the benefit of all and respond to the interests of Member States. It stressed that the Committee should take into account the priorities defined in the SDGs. It continued to benefit from the activities of WIPO in technical assistance and in designing databases and platforms, partnerships, and assisting Members States in creating an environment where they could develop their potential.

52. The Delegation of Uganda, speaking on behalf of the African Group, highlighted that the Report offered a detailed overview of a range of activities and strategies undertaken to mainstream DA Recommendations into WIPO's programs. It welcomed the new addition of the annexes to the Report, which analyzed the status of implementation of the DA Recommendations based on detailed projects and activities, linking them to Expected Results of the Organization. It stated that the Report was consistent with most of its expectations and that the litmus test for the success of implementation of the DA would be how it was implemented and its impact on the recipient countries. It recognized that implementation of DA Recommendations was an ongoing process requiring short-term, medium-term and long-term strategic impact for interventions. It was important to continue to seek concrete results that proved that WIPO's activities and

programs incrementally conveyed the message that IP played a key role in encouraging and promoting innovation for the benefit of society. It pointed out that the practice of mainstreaming of DA Recommendations in the Program and Budget of the Organization by linking the Strategic Goals and each program to the applicable DA Recommendations reflected a positive ambition of the Organization towards implementation. It hoped that in the future DA Recommendations would be linked to Expected Results in the Program and Budget. It took note of the wide range of initiatives on technical assistance and capacity building activities, platforms, reports, databases and partnerships deployed by the Organization to promote a conducive environment for harnessing the power of innovation and creativity. The African Group noted that the report underscored the contribution of the WIPO Academy to building human resource capacity in IP by providing access to development-oriented IP education and training for developing countries and LDCs. It placed great importance on WIPO's capacity building activities. For them to be effective, capacity building should be aimed at equipping recipients with the ability to understand the benefits and the costs of the IP system, and to be able to decide what level of IP protection would be ideal for them to meet their development needs. The Report highlighted a range of activities aimed at promotion, transfer and dissemination of technology, including legislative assistance from national institutions to formulate a national IP strategy, laws and policies, as well as programs to benefit SMEs and sectors in a number of developing countries and LDCs. The implementation of DA projects remained one of the most innovative and effective approaches to implement the DA Recommendations efficiently. Many new DA projects continued to break into new areas that had not been explored, resulting in incremental institutional reforms to the benefit of Member States. The Group gave an example of the IP and Competition Policy Division, which had been established under the WIPO program on IP and Global Challenges as a result of a DA project on development of IP and competition policy. It pointed out that it would be important to have a mechanism of measuring the impact of DA projects on society and reiterated its support for the mainstreaming of DA Recommendations. A coordinated approach to the implementation of DA Recommendations would bare concrete results. It suggested that it would be important to include measurement of the extent of implementation of the DA Recommendations by each Committee and that it would like to see to what extent the IGC process had contributed to the implementation of DA Recommendation 18, which was marked for immediate implementation. It emphasized the need for all WIPO bodies to report on their contribution to DA Recommendations. It welcomed and recognized the value of the Organization's cooperation with, and participation in activities with the UN system organizations and partnerships with other IGOs to strengthen the coordination in undertaking development programs. The Group called for an evaluation mechanism for those partnerships.

53. The Delegation of Romania, speaking on behalf of the EU and its member states, stated that the Report showed that the DA Recommendations were at the core of the various activities carried out by WIPO and noted that capacity building activities undertaken by the Development Sector and the Division for LDCs had been developed as part of WIPO's regular program. Those included activities on the development of national IP and innovation strategies, IP development plans, awareness raising on the importance of IP, provision of legislative advice and the series of activities pertaining to sharing best practices and exchange of useful experience. It stated that it was pleased to observe that these activities were demand driven and development oriented and encouraged the active engagement of the Technology and Innovation Support Centers, (TISCs) in WIPO projects. It acknowledged and valued the contribution of WIPO in the achievement of SDGs, to which it was strongly committed, as they were important and relevant to developed and developing countries. It appreciated the WIPO Academy's continued work to facilitate access to education in the field of IP and was pleased by the increase to 208 of the number of distance learning courses offered in 2018 as well as by the completion of seven joint master programs and twelve additions of the WIPO summer school program in 2018. It noted WIPO's active engagement with other international organizations and encouraged the Organization to continue to play an active role in supporting Member States.

54. The Delegation of Iran (Islamic Republic of) noted the continued commitment and contribution of WIPO to improving and expanding relevant work with regard to the DA Recommendations. It welcomed the structure of the Report, which enabled the recipients to navigate smoothly and get an overview and description of each DA project as well as the self-evaluation exercise. It commended the work of the WIPO Academy in implementing the task of building capacity and raising public awareness in different countries. It expressed regret due to the impasse on some DA Recommendations, particularly Recommendation 18 on the work of IGC, and added that it recognized that it was up to the willingness of Member States to implement and fulfill the mandate of the Committee, but implementation of the mentioned Recommendation had faced difficulties.

55. The Delegation of China indicated that out of 45 DA Recommendations, 34 had been implemented and 39 projects that had been approved or were still under implementation, and among those, 21 projects had been mainstreamed into the work of WIPO. It stated that in implementing the DA Recommendations WIPO had carried out a number of studies, training and capacity building activities. It highlighted that it continued to strengthen its cooperation with WIPO and in August 2018, it had held a high-level meeting on the Belt and Road Initiative. Sixty Belt and Road countries, IP offices and some international and regional organizations had attended the meeting, which published a joint statement on furthering cooperation among the Belt and Road countries, identifying eight cooperation projects in the area of IP law and policy exchange, awareness raising, capacity building, and data cooperation. It added that in November 2018, jointly with WIPO, there was a Sino-African high-level seminar on IP systems and policy that was attended by 17 Member States. The Delegation stated that it would continue to fund a second bunch of fellowships and trainings, send lecturers to developing countries to provide training and, in 2019, it would continue the development cooperation with WIPO and engage in the relevant work to move forward the implementation of the DA Recommendations.

56. The Delegation of Croatia, speaking on behalf of the CEBS Group, stated that the Report provided a comprehensive overview of the different activities undertaken in the implementation of the DA. It commended the capacity building activities carried out within the regular programs, since technical assistance was crucial for development. It thanked the WIPO Development Sector for its work on development of national IP and innovation strategies, capacity building and sharing of good practices, and it expressed hope that more Member States would be included. It expressed satisfaction with the two completed and evaluated projects: Project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries - Phase II and Project on Cooperation on Development and Intellectual Property Rights Education and Professional Training with Judicial Training Institutions in Developing Countries and Least Developed Countries. It expressed hope that Member States would continue working on enhancing the international IP system, which would serve as a driver of sustainable growth.

57. The Delegation of Senegal aligned itself with the statement made by the Delegation of Uganda on behalf of the African Group. It noted that the Report highlighted the close links between IP and development, commended the role played by WIPO through technical assistance and capacity building, and welcomed transfer of technology operations. It welcomed the multiple forms of cooperation with WIPO, including the drafting of its national strategy, and encouraged the Secretariat to step up its efforts to fully implement the DA Recommendations.

58. The Delegation of Mexico highlighted WIPO's commitment to implement technical assistance activities and capacity building, as well as the development of platforms, databases and partnerships for the support of Member States to encourage a positive environment for innovation and creativity. It expressed gratitude for the commitment and encouraged WIPO to continue this exercise. It noted that the information on the provision of technical assistance to developing countries and LDCs in the formulation of national IP strategies, as well as the work of the WIPO Academy for the specialized training on IP for government officials, were

commendable. The Delegation stated that the multilateral agenda had to be dealt with in a crosscutting way and that was why WIPO's involvement in UN work on development and institutional processes as regards innovation, such as the 2030 Agenda for Sustainable Development, was relevant. It added that such cooperation included the UN interagency activities on science, technology and innovation, and with UN specialized agencies. It highlighted WIPO's commitment to continue efforts to achieve the empowerment of women and girls at all levels, whether users, consumers of content, or employers, entrepreneurs, leaders in science and technology and innovation, which was one of its priorities. It congratulated WIPO on the initiative of setting up gender groups on STEM subjects together with UN Women and UNESCO. It noted that information had been shared on work being done in WIPO as regards national strategies on intellectual property and innovation and basic statistics on the involvement of women in international patenting. It highlighted the Inventor Assistance Program (IAP) together with the World Economic Forum that involved inventors and SMEs with small financial resources from developing countries, including webpages of universities on IP. It mentioned that it was a useful tool to promote cooperation and the transfer of knowledge, which were key in promoting innovation. The Delegation stressed the importance of DA projects and implementing them and stated that the 39 projects approved would have a positive effect on IP and innovation. It called on the Secretariat to take into account the achievements and views of the evaluators to continue to make any necessary improvements and prevent negative practices affecting the implementation of the projects.

59. The Delegation of Canada, speaking on behalf of Group B, stated that the Report presented a comprehensive overview of the activities undertaken for the implementation of the DA and its mainstreaming across relevant programs of the Organization. It took note of all activities included in the Report and was pleased with the wide variety of activities undertaken for the achievement of the DA Recommendations. It commended the mainstreaming of the two completed and evaluated DA projects and the flexibility and openness of all Member States as the Committee concluded the previous year with no outstanding item on its agenda. It noted the many activities contributing to the implementation of the SDGs which were implemented during the reporting period. The adoption of the SDGs was a milestone. It was of the view that WIPO should maintain its focus on the SDGs which were most relevant to its mandate. It welcomed the four new project proposals approved in 2018 and stated that these projects covered a broad range of the DA Recommendations and were expected to build Member States capacity to use IP tools for development. It mentioned that it would be learning from the progress reports throughout the duration of the projects and was hopeful that they would have significant long-term impacts. The Delegation encouraged Member States to continue to bring forward project proposals that support WIPO's mandate. The Organization should continue to lead the development of a balanced and effective international IP system and the promotion of IP protection throughout the world. Development considerations remained integral to WIPO's work to enable Member States to use IP as a positive socioeconomic development tool.

60. The Delegation of Chile noted that the Report provided a general picture of the activities that had been carried out by WIPO to implement and mainstream the DA in all the relevant programs of the Organization. It highlighted the large number of projects and initiatives that had made it possible to materialize the DA Recommendations. It expressed its appreciation for WIPO's work on carrying out 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, where it was a pilot country. The purpose of the project was to build and strengthen innovative capacities in developing, LDCs and countries in transition, by creating training opportunities and strengthening cooperation, including the drafting of teaching texts, videos and documents on best practices that would be practical and used in teaching. It highlighted the work done by the Division on Access to Information and Knowledge, which was preparing the implementation of the project, and stated that the initiative was proceeding well. It mentioned that it was working in close coordination with

WIPO to ensure that during the implementation phase, the project would be able to complement its innovation and transfer of technology ecosystem, including the TISCs.

61. The Delegation of Algeria aligned itself with the statement made by the Delegation of Uganda on behalf of the African Group. It took note of the activities carried out by WIPO to implement and mainstream the DA in all the relevant WIPO programs and welcomed the commitment of WIPO on technical assistance and capacity building activities and initiatives aimed at helping Member States promote an environment that encouraged innovation and creativity. It welcomed the changes to Annex I of the Director General's Report on the Implementation of the Development Agenda linking the DA with WIPO programs. It encouraged WIPO to continue its efforts to fully mainstream the 45 DA Recommendations in the main programs of the Organization, particularly under the Program and Budget, which should systematically highlight the links between the Recommendations and the Expected Results. The Delegation stated that it was important to draft new tools, more adapted to Member State's needs, in particular as regards transfer of technology and access to knowledge, so that Member States could fully benefit from the IP system for their social and economic development. It indicated that in Annex III, it would be useful to have a description as to how finished projects had contributed to the achievement of the DA Recommendations and not just a description of the activities undertaken. It stressed the importance of the role played by the WIPO Academy and its contribution to access to education and training in IP and encouraged WIPO to continue its initiatives in the South-South and triangular cooperation as countries had growing needs in training and in IP. It welcomed the successes of WIPO's International Conference on IP and Development and mentioned that it prompted good discussions on the opportunities and challenges of the system. The Conference showed the need for a high-level debate on urgent and emerging issues relating to IP.

62. The Delegation of Burkina Faso aligned itself with the statement delivered by the Delegation of Uganda on behalf of the African Group. It noted that the report showed the progress made by WIPO and the implementation of the DA Recommendations and that WIPO continued to help Member States to effectively use IP for creativity and innovation. It welcomed the technical assistance and capacity building activities it had received and those given by WIPO to developing countries and LDCs that helped them to use IP as an essential tool for development. It noted that the Report showed that some projects approved by the Committee had been finished, including the one that it had participated in. It pointed out that those activities helped to achieve the SDGs, which was the reason why it welcomed efforts made by WIPO to implement all of the DA Recommendations.

63. The Delegation of Brazil took note of the Report and stated that there had been some improvements. The Report was much more focused on reporting the activities related to the DA undertaken in 2018. It welcomed the inclusion of Annex I, linking the DA Recommendations to Expected Results. It noted that it was an ongoing effort and hoped some further steps would be taken. The Delegation stated that the report lacked the inclusion of a clear link between DA Recommendations and all nine Strategic Goals, in particular, the Strategic Goal 2 in relation to the provision of premier global services that included the PCT, Hague, Madrid and Lisbon, and the links to the respective Expected Results. The Delegation was confident that it would receive a complete and even more comprehensive report in the 25<sup>th</sup> session of the Committee. It highlighted that it was willing to cooperate and work together with the Secretariat to address the remaining improvements that needed to be made.

64. The Delegation of the Russian Federation noted the adapted format of the Program and Budget of the Organization and its reports taking into account the development dimension and ensuring the link of the Organization's Programs and its Expected Results to the DA Recommendations. It stated that WIPO was actively cooperating with other UN agencies, carried out interagency projects and allocated significant financial resources, more than 32 million Swiss

francs, to development related issues. It welcomed the adoption of the DA Recommendations, the implementation of projects and the successful execution of the educational projects under the WIPO Academy and the growing interest in training in IP. The Delegation stated that the new database and programs for the support of inventors were measures aimed at using IP tools by SMEs, universities, and research institutions. It pointed out that it was interested in projects that foster respect for IP and stressed that there was a high demand for the WIPO Centers using advanced technology, such as the use of AI for translation and the automatic classification of patents. It expressed its interest in continuing the work on publishing WIPO reports *Technology Trends*. The Delegation stated that it adopted a constructive approach to the implementation of the DA Recommendations and supported WIPO in its efforts on implementing it, including under the new agenda item on "IP and Development".

65. The Delegation of the United States of America aligned itself with the statement made by the Delegation of Canada on behalf of Group B. It thanked the Director General for the Report, which provided information on the implementation of the DA and the links to Expected Results. It noted that the Report demonstrated WIPO's continued commitment and steady progress in implementing the DA Recommendations. The activities undertaken, including projects, had a significant impact on beneficiaries and Member States. The Delegation supported WIPO's active engagement in UN activities, in particular on the SDGs that were related to the mandate and strategic objectives of the Organization, such as innovation related activities. It noted the continued success of WIPO Re: Search, WIPO Green, WIPO Match and the Inventor Assistance Program and other WIPO initiatives and programs. It also took note of the launch of the patent database, which made available patent information on medicines. The Delegation remained committed to contribute constructively to the work of WIPO in promoting the role of IP as a tool for socioeconomic development.

66. The Delegation of South Africa aligned itself with the statement delivered by the Delegation of Uganda on behalf of the African Group. It commended the DG for the Report, and in particular the addition made in Annex I of a column containing the link to Expected Results. It noted that the implementation mechanism chosen for each DA Recommendation appeared to link to one or more Expected Results and that the Program and Budget reflected on 9 Strategic Goals, with each Strategic Goal having a number of Expected Results as part of WIPO's Results-based Management Framework. It stated that the Program and Budget for the 2016-2017 biennium stated as follows: "the WIPO Development Agenda and the SDGs, are cross-cutting issues which are mainstreamed across all strategic goals." However, when doing an analysis of Annex I of the Director General's Report on the Implementation of the Development Agenda, there was no DA Recommendation which associated in any way to Strategic Goal number 2. Strategic Goal number 2 related to the premier global services and included all the key structures such as the PCT, Madrid, Hague and Lisbon. The lack of the link to Strategic Goal 2 raised the question of whether the DA had truly been mainstreamed.

67. The Delegation of Japan aligned itself with the statement made by the Delegation of Canada on behalf of Group B. It thanked the Director General for the Report and highlighted that most of the projects in progress were advancing as planned. It extended its appreciation to the project managers for their effort in appropriately managing the projects and recognized that all of the projects were essential for implementing the DA Recommendations. It stated that the Committee should continuously monitor and assess the projects to enable them to advance efficiently and avoid any duplications.

68. The Delegation of Malaysia stated that the Report reflected the Organization's work and continuous effort to embody the development dimension in all its programs and activities. It noted that WIPO had made consistent progress in reporting and that the DA Recommendations were effectively incorporated into the activities of the Organization. It considered important the preparation of the Program and Budget, in which the DA was included, to ensure that the

necessary resources were allocated. By the end of 2018, 39 projects, including 4 new ones, had been adopted and 21 had been mainstreamed, implementing a total of 34 DA Recommendations. Those projects were concrete and practical, activities that helped Member States materialize the DA. It welcomed the continuous practical activities aimed at implementing the methodologies for the activities under the DA. It was glad to have benefited from some of the activities, notably a project under the Australian Funds-in Trust to bridge the gap between industry research and the effort to link suitable SMEs with universities engaged in research applicable to them, and to initiate cooperation and eventual collaboration. It indicated that it was also working with WIPO on developing a second phase of the national IP strategy. The Delegation noted WIPO's mission to lead a balanced and effective IP system and hoped that efforts would also be made to assist Member States, especially developing countries, overcome challenges that they may face because of the implication of IP protection policies. It recognized that IP was an important tool for socioeconomic and cultural development and the attainment of the 2030 Agenda for Sustainable Development and it was confident that the Secretariat would continue assisting Member States to overcome any challenges.

69. The Delegation of Canada, speaking in its national capacity, aligned itself with the statement made on behalf of Group B. It thanked the DG for the Report and took note of all the activities included in the Report and efforts to further the implementation of the DA Recommendations. It stated that since the success of the World IP Day campaign "Powering change: women in innovation and creativity", WIPO had taken part in a variety of initiatives to encourage women's engagement in IP. Canada had been very active on that topic and, amongst other initiatives, it was cosponsoring, alongside Mexico and the United States of America, the project on Increasing the Role of Women in Innovation and Entrepreneurship: Encouraging Women in Developing Countries to Use the Intellectual Property System. It looked forward to hearing the outcomes and encouraged Member States to continue considering gender when making decisions or developing new initiatives. It added that Women in IP would also be an overarching theme for the upcoming Executive Management Workshop that the Canadian Intellectual Property Office (CIPO) organized in collaboration with the WIPO Academy. The 22<sup>nd</sup> addition of the CIPO/WIPO Executive Workshop would put an emphasis on women in IP by highlighting the work accomplished by CIPO in that area. The Delegation mentioned that 15 countries from around the world would be attending the workshop and more than half of the participants were women. It was grateful for the WIPO Academy's continued support for the delivery of the workshop.

70. The Delegation of Egypt aligned itself with the statement made by the Delegation of Uganda on behalf of the African Group. The Report was comprehensive and presented a range of activities and strategies undertaken to mainstream the DA Recommendations into WIPO's programs. It commended the technical assistance and capacity building activities reflected in the Report, and WIPO's role in providing technical assistance activities aimed at promoting transfer of technology, including legislative assistance to national institutions to formulate national IP strategies, laws and policies. The WIPO Academy activities had contributed positively in capacity building in IP for developing and least developed countries through its development-oriented IP distance learning program and training. The Delegation also commended the positive results of the implementation of six DA projects including the project on IP, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and Other Developing Countries, which contributed positively in raising awareness about IP in the mentioned fields.

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

72. The Deputy Director General, Mr. Mario Matus, thanked Member States for the observations, comments and suggestions on the Report. The Secretariat would take note of the

comments and act accordingly. In relation to the observation made regarding the evaluations of the DA projects, he clarified that the process consisted of undertaking of an evaluation by an independent expert after the completion of each DA project, and the evaluation report was presented to the Committee. Regarding other activities of WIPO more broadly, not limited to the DA, there had been a new instruction from Member States to improve the manner in which the impact of activities was measured and WIPO was precisely doing so. In some areas, the Organization was using the system to improve the level of measuring impact. In other cases, it was developing new tools to measure the activities and impact of those activities. He stated that it was an ongoing process and he could not give answers or solutions for all at that moment, but in the future WIPO would report on those advances or improvements. He invited the Delegation of Brazil to elaborate on how to improve the Report and the intention behind it. He invited the Secretariat to address the observation raised by the Delegation of South Africa.

73. The Secretariat (Mr. Baloch) stated that the question raised by the Delegation of South Africa was a complex issue. That point had been one of the challenges when drafting the Report, since Strategic Goal 2 pertained to the services provided by WIPO, that is, the PCT, Madrid, Hague and Lisbon. The principles of DA Recommendations also applied to those areas, such as the principle of neutrality and being demand driven. It would however be more delicate to link the specifics of the activities of those services to all of the DA Recommendations. From that point of view, it would be better to leave the services out and address areas or Strategic Goals that substantively undertake work that pertains to the DA Recommendations. The Secretariat was open to suggestions by the Committee and could always go back to the colleagues in charge of those services and those on the Program and Budget to find a way to reflect Strategic Goal 2 in the links presented in Annex I of the Director General's Report, if the Committee agreed to it.

74. The Delegation of Brazil thanked the Secretariat for the clarifications and stated that the rationale behind the missing link to Strategic Goal 2 was a matter of interpretation. It further stated that the Secretariat had provided an answer to its question.

75. The Delegation of South Africa highlighted that page 45 of the Draft Program and Budget 2018/2019 (WO/PBC/26/3), under Strategic Goal 2, Provision of Premier Global Services, Expected Result 2.1, stated "Wider and more effective use of the PCT system for filing international patent applications where one of the performance indicators is PCT applications originating from Developing Countries and LDCs". That was directly related to the DA and it was something the Committee had a particular interest on. The Committee needed to know how it could improve the number of filings, if relevant and based on discussions, high-level panel engagements, strategic interventions, technical assistance and capacity development. Those were areas in the purview of the Committee. The number of policymakers, government division, practitioners, and targeted workshops with enhanced understanding of PCT and related topics, were relevant to developing countries as they tried to ensure that the DA was mainstreamed. The indicators were clearly relevant for the Committee and it requested that the issue relating to Strategic Goal 2 be reconsidered.

76. The Secretariat (Mr. Baloch) stated that the reports presented to the Committee were prepared with input from other relevant sectors. It would discuss with other colleagues about the scope of the Report and would seek to address that aspect for the subsequent Director General's Report on the Implementation of the Development Agenda.

77. The Committee took note of the Report of the Director General contained in document CDIP/23/2 and the Secretariat took note of the observations and suggestions made by Member States.

## **AGENDA ITEM 8: CONSIDERATION OF WORK PROGRAM FOR IMPLEMENTATION OF ADOPTED RECOMMENDATIONS**

### Consideration of document CDIP/23/15 – Project Proposal Submitted by the Plurinational State of Bolivia for the Registration of the Collective Marks of Local Enterprises as a Cross-cutting Economic Development Issue

78. The Chair invited the Delegation of Bolivia (Plurinational State of) to introduce the project proposal.

79. The Delegation of Bolivia stated that Member States shared a common objective for development and the strengthening of the IP system to ensure that it was more inclusive. An inclusive IP system meant that it would reach persons to which the concept was yet unknown. It proposed its project titled the Registration of the Collective Marks of Local Enterprises as a Crosscutting Economic Developing Issue (CDIP/23/15). Collective marks represented an opportunity for synergies to link them to competitive markets. Bolivia already recognized in its constitution, adopted in 2009, that the basis of its economic organization as a state is plural and made up of different forms of economic organization. The first one was the community economic organization. The constitution also recognized the cooperative movement as an important form of economic organization. Other legislation had also recognized peasants' and indigenous organizations, which showed how the social actors became also actors in the productive economy. Those sectors dealt with production, collection, distribution, exchange, industrialization and marketing in many areas, including the areas of agriculture, cattle breeding, harvesting and fisheries, among others. The Delegation highlighted that in the last four years it had consolidated the economy as the one with the best GDP growth in South America, which had reached 4.7% per cent. The majority of enterprises worked in a collective manner but unfortunately were unaware of the benefits of the use of collective marks as a marketing tool within the area of IP. It had identified the need for the broad dissemination of information as to the scope and contribution that the registration of collective marks may bring to community enterprises, including the comparative advantage that it could entail in competitive markets. The project proposal aimed at developing a system of support for the registration of collective marks of local enterprises as a crosscutting tool for development. The more specific objectives of the project were to develop an institutional structure which, as a form of an incubator, would identify potential collective marks, monitoring the evolution of the relevant productive sectors throughout the life cycle of the project to analyze and ensure its continuous improvement. It stated that the body that had worked on the proposal had experience in other activities where it had contributed to making IP more inclusive through the management of collective marks. As an execution strategy, it had sought to identify potential zones where collective marks could be utilized. Sessions of dissemination of information and awareness raising, as well as activities aiming at reaching strategic alliances, had already been organized in the past in that area. The best way to disseminate information was through examples of collective marks already in place, which were the best reference of the benefits that they could bring. The second step would be to implement incubation activities for the management of collective marks. Those were also information events seeking to create positive links between all those social and economic producers and potential investors, with a view to strengthening family or community enterprises. One of the elements that could be shared with such enterprises were the benefits of IP through the registration of a collective mark. The Delegation wished to be able to monitor and evaluate the positioning of the collective mark from the moment of its creation to its management, generating a compilation of the lessons learned and best practices that could be used to replicate the effort in other areas of the economy. The project proposal had been generated in the context of institutional strengthening initiatives. The best way to show the benefits of IP to small enterprises was through an analysis of those benefits. Enterprises, which very often started at a family level and then reached the community and the regional level, had attracted the interest of municipal and national governments. They also sought the protection of traditional knowledge

that could lead to contributions to the national production. The importance of IP should be added to those initiatives. The next stage would be to establish a register of traditional knowledge. The project proposal was also the result of past undertakings where it had become more clear that it was possible to increase awareness through the management of collective marks. It had been necessary to take the initiative to reach the communities and stakeholders, rather than expecting their requests. It provided examples of past experiences in relation to different products, which showed how ancestral knowledge could be used for the benefit of community economy and to “live well”. These elements could be replicated in other countries.

80. The Delegation of Iran (Islamic Republic of) stated that it was supportive of empowering SMEs and their contribution in development. It liked the proposal. It sought clarity on the manner in which the beneficiary states would be selected and on the overall cost of the implementation of the project, which was not included in the proposal.

81. The Delegation of Croatia, speaking on behalf of the CEBS Group, thanked the Delegation of Bolivia for the project proposal aimed at protecting collective marks for SMEs and institutions dealing with scientific research and cultural industries with the aim of setting up a relevant national strategy for IP. It suggested further work with the Secretariat to provide some additional elements as regards the budget and evaluation. It would be important to ensure participation of countries with stakeholders interested on the matter.

82. The Delegation of Romania, speaking on behalf of the EU and its member states, thanked the Delegation of Bolivia for presenting the project proposal and noted that the aim of the project proposal was to address the challenges related to the protection of collective marks and raise awareness of the advantages of using a collective mark. It was of the view that collective trademarks were easily accessible IP assets to be used by SMEs in developing countries and LDCs, which could strengthen local economies in those countries. It stated that the project proposal seemed promising but it required further clarification. It would welcome further refinement of the proposal according to the traditional template, including additional details about the cost of implementing the project.

83. The Delegation of Brazil stated that a collective mark was an intellectual property asset that played an important role in adding value to a community’s product or service. Brazil had 352 collective trademarks registered and 64 per cent of them had been registered in the previous 5 years. It however faced some challenges to achieve the potential of making better use of collective marks, for example, increasing public awareness about them, especially among SMEs. It highlighted that the project proposed by the Delegation of Bolivia (Plurinational State of) was timely and pertinent and it expressed its support for the project proposal and its intention to be a part of it. It recognized that some additional information could be needed particularly in relation to cost and budget, and it was willing to work together with Bolivia (Plurinational State of) and the Secretariat to improve the project. It supported the project proposal.

84. The Delegation of Guatemala, speaking in its national capacity, expressed its interest in and support for the project proposal submitted by the Delegation of Bolivia which had the possibility of strengthening SMEs, especially as Member States realize that they were fundamental drivers of development in developing and LDCs. It noted that through local enterprises collective marks could be used for the benefit of the community. That would be a good practice which could be replicated in other countries.

85. The Delegation of Canada, speaking on behalf of Group B, thanked the Delegation of Bolivia for its proposal and welcomed Member States initiatives to submit project proposals to the Committee. The one under discussion was an excellent example of a proposal that was creative, thorough and fit for purpose. It was a mature proposal but certain items remained outstanding, such as the anticipated budget and the framework for project evaluation comprising the proposed

outputs and indicators of successful completion. It encouraged Bolivia and the Secretariat to collaborate to finalize the additional details. It noted that it could be beneficial to require as selection criteria of pilot countries a demonstration that the domestic market already included a healthy pool of individual groups, producers and artisans that would likely profit from such an initiative. It encouraged a balanced geographical representation among the countries that were ultimately selected. It supported the adoption of the project in principle and looked forward to receiving an updated version of the proposal.

86. The Delegation of Indonesia, speaking in its national capacity, thanked the Delegation of Bolivia for the proposal. It took note of and supported the aim of the proposed project, welcomed and encouraged Member States to propose concrete project proposals for the consideration of the Committee. It pointed out that, in principle, the proposed project was timely and relevant and it was ready to support the project after further information was added to the proposal, including on the anticipated budget and the evaluation.

87. The Delegation of Venezuela expressed its support for the proposal submitted by Bolivia and added that it would be interested in being part of the project. It also expressed its commitment in continue working with WIPO in all areas of IP.

88. The Delegation of the Russian Federation thanked the Delegation of Bolivia for the project proposal and the focused nature of the project. It stated that the project could use the advantages provided by the protection of IP to encourage development and it supported the implementation of the project. It would play a constructive role in the discussion of the proposal.

89. The Delegation of Bolivia thanked Member States for their observations and support and stated that the main aim of the project was to strengthen its productive system and the systems of those countries that wished to be beneficiaries of the project. As regards the budget and cost of implementation of the project, it had been working with the Secretariat, which would develop the relevant budget for the project. It was important that interested Member States would be invited to participate in the project on the basis of the specific features and needs of the countries. That would have to be coordinated by the Secretariat and the Delegation would support any other Member State wishing to take part in the project. It stated that the proposal's pending details would be addressed.

90. The Chair thanked the Delegation of Bolivia for presenting the project proposal and responding to the observations by Member States. He indicated that there was support for the proposal and that further development was required. He proposed that the decision of the Committee be that it took note of the project proposal and requested that the Delegation of Bolivia worked with the Secretariat to develop the project further for its consideration at the following session.

91. The Delegation of Bolivia stated that the proposal was relevant and that it would like to consider the possibility that the Secretariat helped it to develop the necessary details before the end of the ongoing session.

92. The Chair indicated that the Delegation would work with the Secretariat during the week to try to further develop the proposal and delayed the decision of the Committee until the session of Thursday or Friday morning.

**AGENDA ITEM 7: MONITOR, ASSESS, DISCUSS AND REPORT ON THE IMPLEMENTATION OF ALL DEVELOPMENT AGENDA RECOMMENDATIONS AND CONSIDERATION OF THE DIRECTOR GENERAL'S REPORT ON THE IMPLEMENTATION OF THE DEVELOPMENT AGENDA**

Consideration of document CDIP/23/4 – Completion Report of the Project on Cooperation on Development and Intellectual Property Rights Education and Professional Training with Judicial Training Institutions in Developing Countries and Least Developed Countries

93. The Vice-Chair invited the Secretariat (Mr. Bdioui) to introduce the Completion Report of the Project on Cooperation on Development and Intellectual Property Rights Education and Professional Training with Judicial Training Institutions in Developing Countries and Least Developed Countries, contained in document CDIP/23/4.
94. The Secretariat (Mr. Bdioui) informed that the project was fully implemented and concluded in December 2018. The outputs and objectives contained in the Completion Report were attained in full cooperation with the four pilot countries: Costa Rica, Lebanon, Nepal, and Nigeria. The budget utilization of the project had reached 90 per cent, all related to non-personnel costs. The pilot project, designed to be sustainable, permitted to enhance the capacity of 74 judges and trainers. It also permitted to develop a set of distance learning courses on IP for the judiciary and instruction manuals for future references in activities related to continuing education for judges. Pilot countries participated in the design and development of national outputs and indicated that they would use them for establishing regular continuing programs for the judiciary.
95. The Delegation of Brazil highlighted the importance of training judges and shared that Brazil had held its first national training for judges from 27 to 30 May 2019. In that international course, professors and judges from other countries shared their experiences on a variety of topics related to IP. It stated that 50 Brazilian judges had enrolled and that WIPO had been one of the partners. It recalled the importance of ensuring legal certainty and legal consistency due to its relevance for investors in the IP field.
96. The Delegation of Canada, speaking on behalf of Group B, was pleased with the Completion Report of the project on Cooperation on Development and Intellectual Property Rights Education and Professional Training with Judicial Training Institutions in Developing Countries and Least Developed Countries. It commended its comprehensiveness and took note of the key lessons learned. The Group was pleased with the self-evaluations and indicators of success in meeting the project's expected outputs and objectives. Regarding the planning of the project, the Group took note of the five-month extension and the fact that the majority of deliverables were completed on time. It applauded WIPO for concluding a contract with a specialized service provider and for providing three years of free access to a database of approximately 3.5 million court cases on IP rights from more than 110 countries. The access, in addition to the training materials such as the distance learning courses on IP and the Instructor's Manuals, would go a long way to ensure that more Member States would benefit from the project. The Group noted with satisfaction the specific provisions related to gender parity, and reiterated the importance of including all human resources considerations when developing a budget.
97. The Delegation of Chile highlighted the work that the Organization had done together with institutions to train judges. It considered interesting and pertinent for Member States to have judges and ministers who understood the importance of IP. Chile had benefited in the past from similar trainings and found them very successful. The Delegation understood that the Judicial Institute of WIPO, as presented in the last session of the Program and Budget Committee (PBC), would coordinate those activities in the future. For that reason, the Delegation expressed hope that the course would ensure that this type of work continued, and it provided support for Member States and IP offices taking into account the particular needs of each country.

98. The Delegation of Croatia, speaking on behalf of the CEBS Group, expressed its satisfaction with the completion of the project on Cooperation on Development and Intellectual Property Rights Education and Professional Training with Judicial Training Institutions in Developing Countries and Least Developed Countries. It expressed appreciation to Costa Rica, Lebanon, Nepal and Nigeria who had participated as pilot countries in the project. The Group noted that the majority of the deliverables had been met and considered that a five-month extension of the project could be supported in order to ensure that the quality of the project's outcome was optimal. It highlighted the gender equality component and expressed hope that other countries could profit from the findings of the project.

99. The Delegation of Japan appreciated the informative teaching materials that were developed as part of the project. It believed that the training programs provided in the project contributed to enhancing the capacity of the judicial training institutions and the skills of judges in the participating countries. It expressed hope that the lessons learned would be used for promoting proper IP protection and enhancing innovation. The Delegation shared its experience in the field of capacity building, for example, the joint collaboration between Japan's Patent Office and WIPO in the seminar on the enhancement of IP rights using the Japan Funds-in-Trust that took place every year. The course included sessions on how to handle IP rights infringements and issues that may arise while enforcing IP rights. It looked forward to continue working with WIPO on that matter to strengthen IP enforcement in developing countries.

100. The Delegation of Uganda, speaking on behalf of the African Group, underscored the importance of continuing training judges on IP-related subjects especially taking into account the current changing circumstances in the IP landscape. Since the digital revolution had led IP to evolve faster, it considered it critical to bring judges up to speed with those developments. The Group was pleased to hear that the project had accomplished most of its objectives in the short-term and the achievement of sustainability in the pilot countries. One of the examples was the establishment of online networks for information sharing access to a selection of revised materials and to a specialized database of about 3.5 million court cases on IP from more than 110 countries, as well as the development of generic manuals to help trainers and instructors to prepare and deliver continuing educational courses. It hoped that other countries could benefit from the results of the project. Lastly, it requested the Secretariat to explain how the DA Recommendation number 45 had been taken into consideration during the implementation of the project.

101. The Secretariat (Mr. Bdioui) assured that the efforts of the Secretariat to respond to the needs of the Member States would continue and expressed hope that countries would continue benefiting from the outputs of the project. The new WIPO Judicial Institute established within the Office of the Legal Counsel would take over those matters and would ensure that the needs and requests of the Member States were met. It referred to the question made by the Delegation of Uganda on DA Recommendation number 45 and how it was taken into account when implementing the project. That Recommendation requested the Secretariat to adopt a balanced approach when implementing all activities related to work with the judiciary. The project was fully oriented towards balancing all the aspects and contents that had been implemented.

102. The Vice-Chair concluded the discussion on the document given that there were no other comments from the floor. The Committee took note of the information contained in the report.

Consideration of document CDIP/23/7 – Evaluation Report of the Project on Cooperation on Development and Intellectual Property Rights Education and Professional Training with Judicial Training Institutions in Developing and Least Developed Countries

103. The Vice-Chair invited the Evaluator to introduce the Evaluation Report contained in document CDIP/23/7.

104. The Evaluator (Ms. Austin) mentioned that the evaluation of the project had the main objective of assessing the project design framework, the project management including monitoring and reporting on the project, the results achieved, and the sustainability of those results. The evaluation was participatory and included interviews and discussions with 25 different stakeholders from the four pilot countries covered and WIPO's Secretariat. A review of the key documents was also undertaken. The main limitation to the evaluation was that, as of the project finished in December 2018 and the evaluation took place in January / February 2019, it was not possible to assess the longer term objectives of the project and whether they had been fully achieved or not. She recalled that the project was implemented by the WIPO Academy. It focused on supporting judicial institutions in four selected countries and building their capacity for the delivery of efficient and effective national IPR education and training programs for judges. It included creating a self-learning or reference IPR toolkit for judges, and it aimed at enhancing the understanding of substantive IPR law and the application of IPR knowledge by judges in the four selected countries, namely, Costa Rica, Lebanon, Nepal and Nigeria. The project had ran from July 2016 to December 2018. The pilot judicial training institutions were chosen by using a common set of selection criteria, followed by an assessment to identify the IPR and education and training needs in those countries and, later, by the development of generic training modules. The training content was tailored to their needs. The program itself comprised both distance learning and face-to-face sessions. The project supported the establishment of networks and partnerships among the judicial training institutions to facilitate the ongoing exchange of information and experiences. WIPO supported the acquisition of reference books and manuals to build the library of the selected training institutions. The key findings were comprised in the following three areas: project design and management, effectiveness and sustainability. The first key principle of the project design and management was coordination. The appointment of national consultants designated by the countries themselves was a key approach to ensure the continuous coordination throughout the life of the project. National consultants were crucial to ensuring that the project objectives were met. The second key principle under the project design and management was to take into account the national needs of the pilot countries. The project design responded to the continuing education and development needs of the pilot countries. That was ensured through the needs assessments and through regular cooperation with the national coordinators. The third key principle was sustainability. The project involved a future looking perspective based on the "train the trainer" model to allow for future replication. At the early stages of the project, the WIPO Academy established a panel of Expert Judges to provide inputs on the most appropriate training methods, the structure, and the content of the generic training modules. The panel represented all regions and a range of legal traditions. Their involvement, at the very first stages of the project, was very important to ensure relevant and coherent course content and structure. The Project Manager successfully ensured the effective project implementation. WIPO adopted a flexible and consistent approach in certain elements of project management in order to meet the different formats required for each country's cooperation agreement. Establishing a combined formal and informal approach to project monitoring ensured that the project manager had a continuous oversight of what was working well and the areas of the project that required adjustments. The second set of key findings looked at the effectiveness of the project; all project outputs were successfully delivered within the project timeframe. The main deliverable of the project was the WIPO Toolkit for continuing education for judges. It comprised a number of separate but interlinked deliverables, such as: (i) the creation of the generic distance learning course on IPR; (ii) customization of the generic course materials; (iii) the development of the train the trainer program; (iv) free access to a global

IPR court case database; (v) access to national fora to support peer to peer learning, and (vi) access to an international network on IPR to support international information exchange. In addition, a customized instructor's manual was developed for each of the countries involved. During the project timeframe, 74 judges and legal professionals were trained. Creating the pool of professionals with enhanced knowledge of IPR was an important foundational step in developing and strengthening a development-oriented culture for the judiciary. Key informants for the evaluation were extremely positive in relation to the extent that the project had enhanced the skills and capacities of those trained. Representatives from all countries involved stressed that the course had successfully provided insights into global and national levels of IPR, thereby strengthening knowledge and capacity in the matter. The final area that the evaluation looked at was sustainability. The project was designed to ensure that individuals and institutions who participated would be able to benefit beyond the project's timeframe. To ensure this, the project involved judicial training institutions and ensured that their priorities were included in the design of the project. Key project outputs were tailored to respective countries through customized training modules. The inclusion of local knowledge and talent from the start, particularly through the national consultants, was an important step in terms of sustainability and the development of the pool of trained trainers. In terms of design, the careful selection of those trainers was important, as well as ensuring an easy access to the course and its content through smartphones and tablets. Numerous training institutions have already taken other steps to ensure sustainability, for example including the WIPO training modules in regular training programs and contributing to a database of IP judgments for future reference. Furthermore, WIPO had already received a number of additional requests from other Member States to continue with a similar model in the future. Finally, the evaluation provided a set of eight recommendations for WIPO's consideration, some of them focused on continuing the effective approach that was seen. For example, the engagement of national consultants to ensure the smooth running of the project and using the same combination of blended learning through distance learning and the face-to-face approach. The recommendations also covered new approaches for future similar projects or work in this area. For example, engaging additional human resources and providing advanced training to those who have participated already to ensure further engagement with the four pilot countries and further investigation on how neighboring countries could benefit from existing modules and trainers.

105. The Delegation of Brazil highlighted the importance of the topic, and recalled that during the 23<sup>rd</sup> session of the CDIP, Brazil had put forward a proposal which contained five items (CDIP/21/8 Rev., Annex III). One of them was to create a database on case law called WIPO Juris. Brazil was working regionally on such a database with jurisprudence, which would help bring legal certainty and consistency to Member States. It also referred to the first meeting of WIPO Juris held in Brazil from May 29 to June 1. The meeting took place in Rio de Janeiro with the participation of Mexico, Chile, Spain and various other countries from Latin America.

106. The Delegation of Canada, speaking on behalf of Group B, recognized the difficulties in measuring long-term impact soon after the completion of a project, and looked forward to seeing the lasting impact of that project. It took note of the fact that the implementation of the project involved a considerable increase in the workload of the WIPO staff, particularly the Academy. It also noted the Evaluator's recommendation for continued investment and support. Sustainability and long-term improvements were key considerations in the selection of seeded projects. The Group encouraged the Secretariat to take efforts to further ensure and monitor the sustainability of the project.

107. The Delegation of Croatia, speaking on behalf of the CEBS Group, was pleased to note the participatory nature of the evaluation, which included 25 interviews with different stakeholders, showing positive outcomes. It acknowledged the main deliverables of the project, a set of nationally customized IPR toolkits for judges and skilled trainers who would be able to train new judges in the area of IP. It also expressed that establishing a network on acting judicial training

institutions would contribute to strengthening the judicial training institutions. Lastly, it looked forward to learning more on the long-term impact of the project.

108. The Committee took note of the information contained in the Evaluation Report.

Consideration of document CDIP/23/5 – Completion Report of the Project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II

109. The Vice-Chair gave the floor to the Secretariat to introduce the Completion Report.

110. The Secretariat (Ms. Croella) stated that the project was based on Recommendations number 1, 2, 4, 10 and 11 of the Development Agenda. Phase II of the project was also drawn up on the basis of a proposal made by the Delegation of Burkina Faso. It aimed at consolidating the results of phase I and speeding up the development of the audiovisual sector in certain African countries, thanks to the provision of technical assistance and capacity building in order to increase the strategic use of copyright in the audiovisual sector as approved by the CDIP. Five pilot countries had participated in the project, namely, Burkina Faso, Senegal, Kenya, Cote d'Ivoire and Morocco. The project was fully implemented. All of the activities programmed and the financial expenditure were carried out in line with what had been planned. However, the training of audiovisual professionals was not fully underway yet as a number of stages still had to be completed in coordination with colleagues from the Academy. The distance learning project would become operational by the end of 2019, and the rate of usage of the project was 100 per cent. The project contained the following main parts: study and research, further training of professionals and capacity building, infrastructure, and legislative improvements. All aimed at increasing intellectual property transactions in the audiovisual sector. The project was carried out in close cooperation with the pilot countries. Coordinators played an essential role in ensuring that the planned activities were customized to the needs of the countries and contributed to the organization of activities in the country. They also defined the priorities in each country. A large number of stakeholders and public institutions were involved in the implementation of the project, and it was based not only on internal skills in WIPO, but also in the use of external consultants from Africa and the rest of the world, all of them active in the audiovisual sector. Most of the activities were organized on a transnational and global basis in order to involve the maximum number of professionals from the beneficiary countries. The project was a concrete example of the use of copyright in the audiovisual sector, a sector that is particularly dynamic in Africa. It laid down foundations for the use of copyright in the sector. The beneficiary countries were all countries with economies in transition, as those were suffering the rapid change stemming from digitalization and the competition of platforms in constant change.

111. The Delegation of Burkina Faso underlined that the Phase II of the Project consolidated what was achieved in phase I. The project laid a solid foundation for the increased use of copyright in the audiovisual sector, and strengthened the knowledge on the use of IP in contracts and documentation on copyright. It met the needs of the beneficiary countries, including those of Burkina Faso. Burkina Faso was able to revise its laws and its recent ratification of WIPO treaties, which were soon to be adopted by its National Assembly. The project led to an exchange of good practices and experiences among neighboring and beneficiary countries. Beneficiary countries fully contributed to the implementation of the project, particularly on legislation in the West African Monetary Union area. The Delegation found that the project achieved its Expected Results, considering that the distance learning course would be finalized in the second quarter of the year.

112. The Delegation of Croatia, speaking on behalf of the CEBS Group, noted with satisfaction that the project contributed to the development of the audiovisual sector in some African countries, and ensured the understanding on the use of copyright systems through technical assistance and capacity building. It understood that the project showed that audiovisual

industries have the ability to contribute to the economic growth as well as to the promotion of their cultural identity.

113. The Delegation of Cote d'Ivoire welcomed the conclusions of the phase II of the project. Cote d'Ivoire was a beneficiary of the project, which provided access to appropriate and efficient technical assistance activities for people in the region who were involved in the audiovisual sector. It commended the improvement of economic data, the development and the growth of the market, and the increase of revenue. It highlighted the actions undertaken to develop the sector. For example, the audiovisual policies and financial support from the Government, institutional strengthening of the radio and television industry to make it modern and competitive, and promotion of export products on international markets through the participation of Cote d'Ivoire in the relevant events. This project offered an opportunity to proceed to digitalization on a firm basis.

114. The Delegation of China welcomed the report. The development of the audiovisual sector was significant for all countries. It referred to the Beijing Treaty on Audiovisual Performance adopted in 2012, which provided support for development in the sector. The Delegation appealed to more countries to accede to the Beijing Treaty.

115. The Delegation of Romania, speaking on behalf of the EU and its member states, noted that phase II of the project aimed at accelerating the development of the African audiovisual sector through technical assistance and capacity building for an increased understanding and use of the copyright system. It took note with appreciation that all the planned activities were implemented in accordance with the approved timeframe, taking into account the priorities and the needs of beneficiary countries and in full respect of the foreseen budget. It appreciated that a large number of stakeholders were involved and collaborated to the successful implementation of the project. The project was a major achievement and the EU and its member states supported the follow-up recommendations of the report.

116. The Delegation of Senegal commended the timing of the project and the context in which it was implemented. At that time, Africa experienced an explosion in the audiovisual sector and the project took into account their needs and concerns. It allowed Senegal to involve all the relevant actors in the sector, such as authors, performers, producers, broadcasters, financial institutions, Internet platforms, regulatory and legal institutions, collective associations and lawyers. These aspects were included in the report. Furthermore, it highlighted three key results. First, the project led to having a coherence among laws under a generic law, namely "Code de la Presse". Second, it promoted the involvement of regulating authorities towards a greater participation in matters concerning IP. Furthermore, there were efforts to discuss a Decree to complement the law of audiovisual communication, thus including cases, fines and other related matters on IP. Third, it supported the statement made by the Delegation of Burkina Faso that the project contributed to the elaboration of directives to endorse the distribution of audiovisual content through satellites. The Delegation also referred to the statement made by the Delegation of China and highlighted that the project was a good opportunity to promote the Beijing Treaty. It concluded by referring to the absence of statistic data and requested WIPO to provide support in such regard.

117. The Delegation of Canada, speaking on behalf of Group B, welcomed the detailed overview of the entire project provided by the Completion Report and took note of key lessons learned. It noted that the project's horizontal approach and training sessions were crucial to creating connections between film professionals and the government. It applauded the diligence in implementing the project's objectives and the flexibility to deliver outputs while managing delays caused by external factors such as local and political insecurity issues. The completion of the feasibility study on collection of market data, the organization of expert workshops, as well as the development of institutional and policy frameworks were just a few of the project's noteworthy

achievements. It noted the given consideration to gender parity. It understood that the time constraints, to which the project was subject, limited the ability to achieve substantial structural changes and recognized the vital role of the distance learning program. It encouraged all Member States to learn from the results and key lessons identified in the Completion Report.

118. The Delegation of Uganda, speaking on behalf of the African Group, stated that the audiovisual sector was key and could boost a country's economic growth and create employment for many people in Africa. For instance, in 2017 the audiovisual and cinema industry in Africa had employed an estimated 5 million people and expected to create over 20 million jobs by 2022. WIPO's project centered on strengthening the audiovisual sector in certain African countries remained a very timely intervention. The African Audiovisual and Cinema Commission considered that Africa needed to harness gains from the audiovisual sector, an ecosystem that could make the local production sustainable. The Group welcomed the emphasis that the project placed on capacity building and training, it contributed to the enhancement of knowledge of key players along the audiovisual value chain, to increase their understanding and use of the copyright system, to identify and effectively manage their IP assets, to leverage the sector's economic potential and exploit the fruits of their work. The project enhanced the capacity of legal communities, especially judges and lawyers. It improved their skills and professional practices in accordance with international standards and assisted local audiovisual stakeholders with new services related to audiovisual law. The Group was satisfied with the success of the project and looked forward to hearing about the short and long-term impacts on participating countries. To conclude, it enquired if the digital revolution would affect the project outcomes and the audiovisual sector in participating countries.

119. The Secretariat (Ms. Croella) followed up on the observations made by the Delegation of China and added that the project did not seek to promote the Beijing Treaty *per se*, but to reinforce or strengthen the legislative environment, the keystone of the audiovisual sector. The role of the Beijing Treaty in the audiovisual environment was fully taken into account when considering the implementation of the project. During the implementation period, Burkina Faso ratified the Beijing Treaty, while Senegal, Cote d'Ivoire and Kenya advanced their plans to ratify it. It requested the Delegation of Uganda to repeat its question.

120. The Delegation of Uganda, speaking on behalf of the African Group, enquired if during the project implementation there was some emphasis on trying to see whether the audiovisual sector in the participating countries was being affected by the digital revolution.

121. The Secretariat (Ms. Croella) explained that throughout the implementation phase of the project, a transition from analog television to digital television took place in all of the beneficiary countries and this had a major impact on the business models and legal frameworks applicable to the audiovisual sector. It had fully tried to consider that and to respond to the needs of the audiovisual sector in view of the digital switchover and the impact of the digital technology. That was fully taken into account in the strengthening and support to the legal framework with new regulatory measures, for example in the audiovisual communication code in Senegal, which addressed the impact of digital technology on the audiovisual sector. Other examples were the training of professionals and providing capacity building on contractual issues and management of rights related to new business models of the audiovisual sector closely related to the evolution of the digital technology. Those topics were of high demand.

122. The Committee took note of the information contained in the report.

Consideration of document CDIP/23/6 – Evaluation Report of the Project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II

123. The Chair gave the floor to the Evaluator to introduce the document.

124. The Evaluator (Mr. Keller) referred to the complexity of the project as it covered six countries, two were newly covered in phase II of the project and the other ones were covered during phase I. Kenya was the only Anglophone country while the other five were Francophone countries. The objective of the project was to support the development and the professionalization of Africa's emerging market driven by the audiovisual sector. The duration of the project implementation was two and a half years. It involved seminars, workshops, trainings and one study visit. Those training activities were tailored to the needs of different target groups and stakeholders. It targeted policymakers, magistrates, lawyers, filmmakers, and broadcasters. It also produced the Feasibility Study on Enhancing the Collection of Economic Data on the Audiovisual Sector in the Target Countries (document CDIP/21/INF/2). The project produced training materials and started the preparation of the WIPO distance learning course, which was expected to be completed within this year. The main objective of the evaluation was organizational learning. It mainly looked at whether the project provided the right type of support. The intention was to draw lessons for further WIPO activities in the field. Regarding the evaluation methodology, he stated that it conducted 32 interviews between 30 minutes and one hour, most of them by phone. There were no visits to the countries. The criteria used for the evaluations were the standard evaluation criteria, namely: relevance, effectiveness, efficiency and sustainability. The main limitation was that the distance learning course was not yet completed. Nevertheless, discussions with the WIPO Academy allowed it to access some draft documents, which provided input to the course. It was too early to see broad changes because those would take time. It deemed impossible to see changes in two or three months after a project's conclusion. The findings of the evaluation were comprehensive, consistent and clear. Regarding the conclusions, the project was well prepared and well managed. It had clear objectives, a clear intervention logic and an intervention strategy. Budgeting was accurate, as evidenced by the 100 per cent disbursement rate. On the challenges of the projects, capacity constraints led to some delays, the personnel available to implement the project was not sufficient for such a complex and large project. For a project with a lot of fieldwork, a dedicated project management structure would have been appropriate. A project officer with a background in development would have been an advantage. It recalled that other DA projects had this approach and successfully applied it. The expertise provided by WIPO met the needs of the different target groups. The document lacked a clear phase-out strategy beyond just the WIPO course. It was unclear to assess what would happen after the project was implemented. The project fully met the needs of beneficiaries. The Evaluator highlighted that the audiovisual sector was among the most creative intellectual assets of the knowledge economy and it was a critical sector for Africa's economic growth and development. This project fell into a period of rapid changes in the sector caused by digitalization. Digitalization brought new challenges but also new opportunities. The project was a timely and appropriate response to the needs of the African audiovisual sector. It responded to the DA Recommendations that it intended to address, namely 1, 2, 4, 10 and 11. It was aligned with the priorities of WIPO Programs, especially with Program 3, which covered copyright. The project successfully promoted the use of intellectual property within the audiovisual sector, and contributed to improve intellectual assets. The support on improving the legal framework, strengthening the capacity of copyright offices and capacity building to users, mainly the SMEs, was appropriate and well appreciated. The evaluation endorsed the Completion Report that was presented, except the fact that the distance learning course was not yet operational. The Evaluator recalled that it was too early to assess broader outcomes, but there were some initial positive developments; for instance, the new law in Senegal and the harmonization of legislation in the WAEMU. The cost-benefit of the project was comparable to similar WIPO projects. A significant part of the expenditures of non-personal costs were related to the organization of seminars, workshops and one study, a relatively costly way of knowhow transfer. However, those physical meetings were required in order to create an initial momentum and to build a network. The project involved an original cooperation elements, it worked with the WAEMU on the harmonization of legal documents. In the audiovisual sector, regional cooperation was important because the problems that were

covered were issues of interest to several countries and thus required coordination among several countries. Another positive element was the South-South cooperation exchanges of regional experts. It stated that the follow-up now depended on the respective IP offices. He mentioned that the countries had different resources and noted that the DA projects mainly served the purpose of piloting innovative approaches in the use of IP for development, therefore, it would be difficult to justify a follow-up under a phase III. Most of the services that the project provided were already mainstreamed and available within WIPO. He considered that it would be difficult to provide the same type of follow-up on the DA project. Some follow-up could be possible under other copyright related projects. Regarding sustainability, WIPO distance learning course would be the core element. There was a high demand from beneficiary and interviewed countries. Another highlight was the holding of a seminar on Alternative Dispute Resolution and Conflict Prevention, Mediation, and Arbitration, which was relevant for creative industries and developing countries in general. Concerning the recommendations, the first one was to complete the WIPO distance learning course for the audiovisual sector as planned and as soon as possible. The second recommendation was to the WIPO Secretariat, to provide follow-up support to the audiovisual industry in Africa through the work of relevant WIPO programs, to the degree of its possibilities and within the available resources. Also, to explore the option to provide selective follow-up support within the framework of new DA projects, targeting creative industries, and to explore the interest of Member States for a DA project covering alternative dispute resolution. The third recommendation suggested that when preparing DA projects, the Secretariat should systemically assess the management input needed against the existing workload of project managers and consider the recruitment of a project officer to support the project manager in the day-to-day project management and implementation, in the budget of the project, when designed. The project officer should be primarily somebody with experience in international development cooperation with knowledge of the developing world and the appropriate project management skills.

125. The Delegation of Burkina Faso supported the statement made by the Delegation of Uganda on behalf of the African Group and mentioned that the beneficiary countries were able to build their capacities and improve their management of copyright and related rights. Countries were also able to adapt to the transition to the digital area. It expressed with satisfaction that phase II made it possible to consolidate the achievements of phase I. It fully supported the conclusions of the study, especially the ones on transfer of knowledge among the countries. However, this exchange was limited due to the legal differences in the systems of the French speaking African countries and the English speaking African countries. The Delegation highlighted that common markets promoted cooperation regionally, and the WAEMU was a good example. That inspired Burkina Faso to review the contents of its proposal and take account of the sub-regional context.

126. The Delegation of Croatia, speaking on behalf of the CEBS Group, noted that the findings of the Evaluation on the project management –its relevance, effectiveness, efficiency and sustainability– were overall positive and that the project resulted in a greater professionalization of the sector. It believed that the follow-up activities such as WIPO distance learning courses for the IP sector would provide further support to the audiovisual industry, and the ones related to the management would be taken into consideration. It noted that further assessing the sustainability of results at the country level was still premature, and therefore encouraged, along with the findings of the Evaluation Report, that national IP offices and ministries of culture in charge of the audiovisual policies continue their work in the field.

127. The Delegation of Cote d'Ivoire was pleased to note that the indicators of the Evaluation were positive, and supported the recommendations of the Report. It expressed hope that the results would be sustainable for the greater benefit of all of these countries and their audiovisual sectors.

128. The Delegation of Romania, speaking on behalf of the EU and its member states, mentioned that the Evaluation Report highlighted important findings and assessments. It considered it relevant and encouraged the beneficiaries to duly take into consideration and make efforts to implement its recommendations.

129. The Delegation of Canada, speaking on behalf of Group B, took note of the conclusions and recommendations drawn from the project. It was pleased to see that the lessons learned from the first phase were used to the benefit of the second phase of the project. It encouraged Member States to consider those lessons when planning projects in the future. It was encouraged by the increase of awareness reported by beneficiary countries in the use of IP within their domestic audiovisual sectors. It looked forward to the delivery of the WIPO distance learning course for the audiovisual sector to ensure the continuity of capacity building and training efforts. The Group commended the quality of the activities provided in support of the project, the improvement of the legal framework and capacity building for SMEs. It also applauded the appropriate selection of experts and the responsiveness of the Secretariat in meeting the needs of the beneficiaries.

130. The Committee took note of the information contained in the Evaluation Report.

#### **AGENDA ITEM 8: CONSIDERATION OF WORK PROGRAM FOR IMPLEMENTATION OF ADOPTED RECOMMENDATIONS (resumed)**

##### Consideration of document CDIP/23/13 – Revised Project Proposal for the Development of the Music Sector and New Economic Models of Music in Burkina Faso and in Certain Countries of the West African Economic and Monetary Union (WAEMU)

131. The Chair gave the floor to the Delegation of Burkina Faso to introduce the project proposal.

132. The Delegation of Burkina Faso stated that the question of IP had always been a priority for its Government given its importance for economic development. In Sub-Saharan Africa, the French speaking part considered music as a promising sector. The music sector played an important part in the social and economic development of Burkina Faso. Therefore, it attached great importance to the work of the Committee, which aimed at promoting IP for development. It took into account the hopes and expectations of developing countries. It referred to DA Recommendations 1, 4, 10, 11 and 23. It mentioned that Burkina Faso benefited from the first project on the audiovisual sector and then submitted a new proposal during the 22<sup>nd</sup> session (CDIP/22/12). The Delegation worked with the Secretariat on improving the proposal so that it could be taken into consideration during that CDIP session. The initial title was slightly changed to Project on Development of the Music Sector and New Economic Models of Music in Burkina Faso and Certain Countries of the WAEMU. It took into account the comments made by certain delegations and consultants expressed at the last session of the CDIP. It called for a sub-regional approach. That change was made to take into account the particular priorities and needs of the WAEMU countries and in response to DA Recommendation 1. The WAEMU region had a serious lack of structures for the music sector and management of copyright. Apart from piracy, the collective management organizations had difficulties to check the use of works on digital platforms, and countries in that area were going through the digital era and adapting to new uses. An increasing use of mobile Internet and smartphones developed new uses and new offers in the music sector. In order to provide appropriate responses to these problems, it proposed restructuring the music sector in the WAEMU region through an overhaul of the legal context or rather the legal framework, which would encourage creativity and production in the music sector. It was a response to the digital divide and a response to improved economic and social conditions of the actors in this very promising sector. The Delegation recalled that it was a

pilot project. It would be implemented for a period of 30 months, in four countries in the area, including Burkina Faso, in several stages. The initial exploratory phase would give an overall view of the applicable legal regimes involved in the music sector. The Delegation expressed its hope that Member States would support the adoption of the project at the current session of the CDIP.

133. The Chair recalled that the project proposal had been submitted to the twenty-second session and that the Committee had considered it positively and had requested Burkina Faso to revise it with the help of the Secretariat. The Chair opened the floor for discussions.

134. The Delegation of Croatia, speaking on behalf of the CEBS Group, was pleased to note that the revised project proposal contained suggestions by Member States from the previous meeting. It considered the music sector as one of the key factors for the development of national economies. Member States could be interested in receiving additional information on possible interactions between the project proposals outlined in the document CDIP/23/13 and the project on Strengthening and Development of the Audiovisual Sector in Burkina Faso. It considered the project proposal positively.

135. The Delegation of Romania, speaking on behalf of the EU and its member states, reiterated their support for the idea behind the project. It agreed on the importance of capacity building, and were pleased to note that the revised version had taken into consideration the observations expressed by the WIPO Member States. It held the view that the proposal had clearly defined objectives, activities and outcomes, description of the main beneficiaries and stakeholders involved, as well as information regarding the project budget. As music was one of the most promising economic sectors in Africa, the use of legal and regulatory frameworks of copyright and related rights in this industry were of key importance, particularly for the new business models of music in the digital environment. It considered the revised version of the project and believed that it should contribute to the development of the music sector and the new economic models in Burkina Faso and in certain countries of the WAEMU zone.

136. The Delegation of Canada, speaking on behalf of Group B, was pleased to note that the revised proposal was structured according to the usual structure of CDIP projects and included details regarding project's objectives, proposed outcomes, step-by-step delivery strategies and budgetary information. It noted that the revised project proposal was much more ambitious and tailored to the needs it sought to address. At the twenty-second session of the CDIP, Group B noted the potential overlaps between Burkina Faso's proposed project and the last two phases of the project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries. It noted with appreciation that the Completion and Evaluation Reports of the project on the audiovisual sector helped to highlight the gaps that had been left unaddressed and to avoid any duplication of work. The revised project proposal was different from its previous iteration, both in terms of scope and structure. It encouraged the Secretariat to draw from its experience as it implemented Brazil's project on Copyright and Distribution of Content in the Digital Environment (document CDIP/22/15), to the extent possible, in order to avoid any unnecessary duplication of efforts. The Group looked forward to the implementation and adoption of the project.

137. The Delegation of Senegal fully supported the arguments made by the Delegation of Burkina Faso and expressed its interest to participate in the project. It concluded by stating that the music and audiovisual sectors were closely intertwined, and considered difficult to see an audiovisual work that was not accompanied by music and to promote music without using the audiovisual element. That showed the close connection. It also mentioned that music and the audiovisual sectors presented almost the same economic models.

138. The Delegation of Cote d'Ivoire supported this proposal and encouraged other delegations to adopt it. It was the logical extension of the project on audiovisual sector. The Delegation expressed its willingness to benefit from it, given the interest and importance of music in its culture.

139. The Delegation of South Africa agreed that the project proposal was far improved, far advanced, and ambitious. It gave its full support and looked forward to the adoption of the proposal at the current session of the CDIP.

140. The Delegation of Burkina Faso expressed appreciation for Member States' support and reassured that their comments would be taken into account in the implementation strategy.

141. The Delegation of Uganda, speaking on behalf of the African Group, took note that the project focused on the need to update legislative frameworks as well as new economic models of music to respond to changes in production and distribution models resulting from digitalization. The African Group fully endorsed the revised proposal.

142. The Delegation of Gabon requested that the project in subsequent stages could benefit other French-speaking countries from the WAEMU as problems related to the music sector were almost identical. It suggested a possible extension of the project.

143. The Committee approved the project proposal as contained in document CDIP/23/13, given that there were no further comments from the floor.

Consideration of document CDIP/23/3 – Member States Additional Inputs on the Way Forward on the Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review

144. The Chair gave the floor to the Secretariat to introduce the document.

145. The Secretariat (Mr. Baloch) presented document CDIP/23/3 with the Member States Additional Inputs on the Way Forward on the Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review. During the previous session, the Committee had considered documents CDIP/21/11, CDIP/22/4, and decided about two things. First, that any interested Member State that wished to provide additional input was entitled to do so, and the second was for the Secretariat to propose the modalities for their implementation. The document CDIP/23/3 contained the additional inputs provided by Member States.

146. The Delegation of Canada, speaking on behalf of Group B, expressed concerns with taking note of the document *per se* and suggested using the language "the Committee was informed" of the document. The Group preferred a more neutral language.

147. The Delegation of Indonesia, speaking in its national capacity, suggested to use the same language that had been used for documents CDIP/21/11 and CDIP/22/4. It agreed with the statement by Group B and recalled that the words "take note" were not used in documents CDIP/21/11 and CDIP/22/4.

148. The Committee concluded the discussion on this document given that there were no more comments from the floor. The Committee was informed of the additional inputs from Member States as contained in document CDIP/23/3.

Consideration of document CDIP/23/8 – Secretariat’s Proposal on Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review and Options as Regards the Reporting and Reviewing Process

149. The Chair invited the Secretariat to introduce document CDIP/23/8.

150. The Secretariat (Mr. Baloch) recalled that the Committee had adopted recommendations 1 through 10 and number 12 of the Independent Review of the DA at its 19<sup>th</sup> session. Document CDIP/23/8 addressed all those recommendations except for recommendation 2, related to the establishment of the agenda item on “IP and Development”. The decision with regard to that item was addressed in the Appendix of the Summary by the Chair of the 19<sup>th</sup> session. Document CDIP/23/8 was constructed in two parts. In the first part, it proposed modalities and implementation strategies for the adopted recommendations. The Secretariat proposed 15 implementation strategies addressing 9 recommendations. For each strategy, there were modalities of implementation. In most instances, a single strategy addressed totally or partially more than one adopted recommendation. In those cases, the Secretariat proposed that the recommendation was implemented on the basis of cross-cutting activities. This would save time and effort on the part of the Secretariat for the implementation. The proposal also indicated whether the recommendations were addressed to the Member States, the CDIP and/or the Secretariat. In the past, when the Secretariat had been requested to prepare a document providing the Committee of an update on the status of these recommendations, they were separated in three categories: recommendations that required action by the Secretariat, by the Member States, and by the CDIP. That was how they were also categorized in the report by the experts who produced the Independent Review (CDIP/18/7). The Secretariat also took into consideration inputs received from the Member States compiled in Annex I of document CDIP/23/8 for ease of reference. In addition, the Secretariat attempted to identify similarities and variations among those inputs in order to facilitate work of the Committee. The second part of the document presented options for the reporting and reviewing process of the implementation. It distinguished between reporting and reviewing. The reporting was for the Committee to stay informed on activities of implementation. The reviewing was for the Committee to assess their effectiveness. The proposed options for reporting and reviewing addressed the modalities and implementation strategies where the responsibility of the implementation was attributed to the Secretariat. Where recommendations were addressed to the CDIP or the Member States, those two latter actors might wish to guide the Secretariat on whether a different reporting and reviewing methodology would be required.

151. The Delegation of Indonesia, speaking on behalf of the APG, agreed with the proposal made by the Secretariat. It considered that for a more effective and focused discussion, the Annex of document CDIP/23/8 should serve as guidance for the discussion. It considered easier to use the framework of what were the implementation strategies, what would be the modalities for the implementation strategies and what recommendations were addressed by those particular implementation strategies. It proposed a discussion based on the framework prepared by the Secretariat.

152. The Delegation of Romania, speaking on behalf of the EU and its member states, looked forward to a fruitful debate during the current session, especially with regard to the proposals aimed at enabling the exchange of strategies, lessons learned, and best practices of Member States on IP and development matters. It believed that the idea of further use of the new agenda item “IP and Development” to hold high-level discussions on the work of the Organization on new emerging issues related to IP could be an option to be explored in future debates. However, it considered that the formal CDIP agenda item was not the right place to have informal discussion with leading academics, members of the civil society and other UN bodies and IGOs. It had the opportunity to hold discussions on different topics with the relevant stakeholders at the biennial conferences on IP and development. Furthermore, they could also be invited to the informal side

events in the margins of the CDIP sessions if Member States wished to organize them. The EU and its member states expressed their continued engagement in constructive discussions on the modalities and implementation strategies for the adopted recommendations.

153. The Delegation of Croatia, speaking on behalf of the CEBS Group, referred to document CDIP/23/3 and expressed its appreciation for all those who contributed to the document. It further referred to document CDIP/23/8, which they found clearly structured and containing different inputs by Member States. The Group saw value in discussing the issue of the implementation strategies for the DA Recommendations under the agenda item on “IP and Development”. At the same time, the Group considered that leading academics, members of civil societies, other UN bodies and IGOs should not be invited for a formal discussion under the agenda item “IP and Development”. It was aware of the possibilities provided by the biennial conference or side events for the exchange of information by the mentioned groups. It also believed that the exchange of opinions on the matter should be conducted in a way to avoid unnecessary duplication, and resources were used in most effective ways.

154. The Delegation of Canada, speaking on behalf of Group B, referred to strategy 1 and recalled that the Committee’s decision regarding the format of discussions under the agenda item “IP and Development” allowed only for a presentation by the Secretariat and not external speakers or participants. It considered that there was not enough time for external presentations in addition to the Secretariat’s presentations and meaningful discussion by Member States. It had shared the understanding that discussions under that item were intended to showcase the national initiatives, best practices or particular needs of Member States in relation to the topics selected and would insist on ensuring that all Member States interested in taking part in the discussions benefit from the appropriate time and forum to do so. The Group also considered that “academics, members of industry and civil society, as well as other UN bodies and IGOs” should not participate in those discussions. They would be welcomed at the biennial conferences on IP and development.

155. The Delegation of Iran (Islamic Republic of) welcomed most of the proposed implementation strategies. It had some comments and questions with regard to certain proposed implementation strategies and modalities that it would make, when the Committee would go through the text one by one.

156. The Delegation of Indonesia, speaking in its national capacity, aligned itself with the statement made by the APG. It highlighted that the language of the implementation strategy 1 referred to the further use of agenda item “IP and Development”. Should the Committee decided to take out the part that leading academics, members of civil society and other UN bodies be invited to participate in the discussions of the agenda item, there would no be further use of the agenda item, it would be just business as usual. Either the implementation strategy 1 would be hollow or it would not even address recommendation number 4. It stated that if some Member States considered that the leading academics, members of civil society, other UN agencies and IGOs should be invited to the international conferences, then that item was closely related to the implementation strategy number 2. In that case, the Delegation would suggest that the language of strategy 2 did not mention the decision of the 22<sup>nd</sup> session of the CDIP or the “three one-day” international conferences. It would just say that the international conferences on IP and development as a forum of higher-level debate would involve the academics, civil society, IGOs and other UN agencies. In that case, the implementation strategies would address recommendation 4 of the Independent Review.

157. The Delegation of Brazil echoed and agreed with the statement made by the Delegation of Indonesia. It enquired about the first item and the further use of the agenda item on “IP and Development” to hold high-level discussions. It was important to understand the way a high-level debate was framed and how it was interpreted by Member States.

158. The Delegation of Iran (Islamic Republic of) shared similar concerns as the Delegations of Indonesia and Brazil with regard to the implementation strategy number 1. It expressed concern with the language of the proposed strategies “to hold high-level discussions on the work of the Organization on new emerging issues related to IP”. If the “IP and Development” agenda item was only restricted to the new emerging issues, it would exclude addressing the old IP-related issues. It requested the Secretariat to clarify if these proposed strategies would not exclude traditional or old IP-related matters out of the context of the agenda item.

159. The Delegation of Uganda, speaking on behalf of the African Group, believed that document CDIP/23/8 was a good basis for discussion. Regarding recommendation strategy 1, it believed that the best way to address outstanding issues of concern for developing countries, as well as evolving emerging challenges concerning IP involvement, would be under agenda item “IP and Development”. Concerning the participation of other UN agencies or IGOs, it recalled that there was a precedent in the Organization. For example, the Standing Committee on the Law of Patents (SCP) invited UN agencies and other IGOs to participate in discussions, possible through article one of the agreement between the UN and WIPO. That article recognized that the main role of WIPO as a specialized agency of the UN was to promote IP but also facilitate transfer of technology. This was subject to the competence and responsibilities of the UN and its organizations, particularly the United Nations Conference on Trade and Development (UNCTAD), the United Nations Development Programme (UNDP) and the United Nations Industrial Development Organization (UNIDO).

160. The Delegation of the United States of America supported the intervention made by the Delegation of Canada on behalf of Group B. It addressed the comment made by the Delegation of Brazil on whether this high-level debate should take place inside or outside of the CDIP. It considered that this question was answered when the initial Independent Review was received. It recalled that the Lead Evaluator addressed that specific question. The high-level discussion was within the CDIP, and it was related to the topics rather than who discussed the topics. It did not support inviting academics and NGOs and other UN bodies to the plenary sessions of the CDIP. That would be duplicative of the International Conference held on May 20, 2019. The agenda item was an opportunity for Member States to share their experiences, to share their challenges and their best practices on the given topic.

161. The Delegation of Brazil expressed some doubts on the matter, and recalled its proposal contained in document CDIP/21/8 Rev. as it included not only Member States but also other UN bodies. In that regard, it requested clarification on whether it involved only Member States or other actors from outside too, as that aspect was clear in its proposal.

162. The Delegation of Indonesia, speaking in its national capacity, highlighted that it had no problem with regard to how “high-level” was defined. It requested the Secretariat to clarify whether the further use of the agenda item “IP and Development” meant that leading academics, members of civil society and other UN bodies and IGOs would be invited. If that was the case, there would be only be further use of the “IP and Development” agenda item if that language remained. The Delegation stated that if other Member States thought that the recommendation had been addressed by the international conference, strategy number 2 should not say “three times” in order to institutionalize an international conference on IP and development every two years. The Delegation further mentioned that the goal of the Secretariat’s proposal was to address recommendation number 4 of the Independent Review as well. The adjustment proposed on implementation strategy number 2 would need to be done if the Committee was going to make revisions on the wording on strategy number 1.

163. The Chair summarized the three issues expressed by Member States. The first one was defining whether “high-level” meant within or beyond the CDIP. The second was the wording

“new emerging issues”, since a Delegation wished to ensure that it would not exclude the old issues in the framework of the CDIP. The third one was the involvement of various external actors, such as academics, members of industry, civil society, and other UN organizations. The Chair invited the Secretariat to address these issues.

164. The Secretariat (Mr. Baloch) noted that it had taken considerable time in introducing the document and had attempted to bring to the attention of the Committee the fact that in the endeavor of putting the document together, the Secretariat had primarily made use of the information available from Member State inputs. There was to some degree an interpretation by the Secretariat, which had been done for validation by this Committee. It provided two examples to demonstrate that the inputs were neutral. The first example related to the concerns around the wording “new emerging issues” expressed by the Delegation of Iran (Islamic Republic of). The last page of the document, Annex 2, quoted the following: “to discuss the work of the Organization on new emerging issues related to IP”. Therefore, the Secretariat had included the wording “new emerging issues” because it was part of the Independent Review recommendation 1; it did not intend to exclude the old issues. On the inclusion of academics, members of the industry, civil society and other UN bodies, the idea stemmed from the proposal made by the Delegation of Uganda. It recalled that during the last session of the CDIP, the Chair had instructed the Secretariat to present the document that could form the basis of discussion, and it had volunteered to do that. The Secretariat suggested that it was up to the Member States to agree on the proposals contained in the document, because they were their own ideas. Minimal level of interpretation was done by the Secretariat, and those parts could be identified. Primarily, the ownership of this document was of Member States and that was why the Secretariat looked forward to a decision.

165. The Delegation of Brazil referred to document CDIP/21/8/Rev., which was approved by the Committee. As part of Brazil’s proposal on how to implement all the items contained in it and other Member States’ proposals, it had suggested “to guarantee diversity of perspectives and opportunity for ample discussions, the structure of the event, concerning the events under the agenda item “IP and Development”, should allow for participation of IP practitioners and experts as well as presentations by WIPO, WTO and relevant United Nations bodies”. The Delegation highlighted that in that proposal it did not mention civil society but it did mention other institutions.

166. The Delegation of Switzerland supported the statement made by the Delegation of Canada on behalf of Group B. It further referred to the point raised by the Delegation of Brazil on document CDIP/21/8 Rev. and the Summary by the Chair of the 21<sup>st</sup> session. Paragraph 10 of the Summary stated that Member States would use that document as a basis for a future list of subjects among which they could choose. The document, however, had never been adopted.

167. The United States of America supported the statement made by the Delegation of Switzerland. The Summary by the Chair of the 21<sup>st</sup> session stated exactly what was read out by the Delegation of Switzerland. Document CDIP/21/8 Rev. had never been adopted as a whole. The Delegation further addressed the implementation strategy 1 in document CDIP/23/8. If the last two sentences were deleted, it would reflect that the Committee should be discussing those topics within the Committee and Member States should be encouraged to submit topics for discussion.

168. The Delegation of Iran (Islamic Republic of) pointed out that inviting UN bodies, IGOs or academia was not a new practice in WIPO. Some IGOs already had the observer status in the CDIP or in other committees and their participation in the discussion was not a new practice. Participation of the other UN bodies often occurred in other WIPO Committees. It depended on the discussions in different committees. The Delegation was of the view that this was a consistent practice in line with the agreements signed by WIPO and the UN, to recognize WIPO

as one of the UN specialized agencies. WIPO and the representatives of other UN and other institutions would be invited to participate in the discussions.

169. The Delegation of Indonesia, speaking in its national capacity, proposed deleting the last two sentences of the implementation strategy number 1. The first sentence had to be changed and the word “further” should not be there. The wording “new agenda item” should also be removed as the agenda item was not new anymore. It recalled that it was set two or three sessions ago. The sentence “to hold high-level discussions on the work of the Organization on new emerging issues related to IP” under the agenda item “IP and Development” also required modification because it did not address recommendation number 4. Some of the modalities had to be deleted. It suggested deleting recommendation 4 from the third column. It could only express its support towards that matter if the Committee was to agree on the implementation strategy number 2 and the institutionalization of the international conference within the CDIP.

170. The Chair referred to the suggested strategy 1 and said that the Committee, at this stage, would not enter into drafting of the 15 implementation strategies.

171. The Delegation of Brazil referred to strategy 1 and stated that IGOs as established in its proposal meant accredited IGOs. Having a member from an organization like WTO to participate in a debate under the agenda item “IP and Development” should not be a problem.

172. The Delegation of South Africa appreciated the efforts put by the Secretariat in coming up with the 15 strategies. It also took the ownership that this was now the document of Member States. The Delegation noted that the Secretariat pointed out that in some instances some recommendations were addressed fully and some partially. It was important that the recommendations of the Independent Review were not lost in some of the implementation strategies. With that in mind, the Delegation enquired whether there would be an opportunity for the Member States to make suggestions on how to incorporate some of those inputs, which were contained in the Annex to the document CDIP/23/8, to be better reflected in the strategies for implementation.

173. The Chair recalled that the Committee had already agreed that Member States could put forward proposals. If any Delegation who had made proposals saw that their proposal was not taken into consideration, they had the right to come back to it and suggest to do so. The Committee could then discuss that.

174. The Delegation of Indonesia, speaking in its national capacity, considered interesting to add another column to the table provided by the Secretariat. Depending on the pending implementation strategies, it suggested to make a document on the outstanding issues as a list instead of a column. With regard to implementation strategy 2, the Delegation highlighted that it was trying to grasp the idea, which was that implementation strategy number 2 was responding to the Independent Review recommendations 1, 4 and 12. However, it enquired if after three one-day international conferences, which was a one-off decision, the issue could be considered as addressed or if it was an ongoing process. It reiterated its support to implementation strategy 2 only if the word “three” was deleted. That would not mean that the Conference was institutionalized, but that the decision on whether it will be institutionalized or not would stay open. The international conference on IP and development could only take place if the CDIP decided to do so. It wondered about the future of the conference and if holding another international conference would count as addressing recommendations 1, 4 and 12.

175. The Delegation of Croatia, speaking on behalf of the CEBS Group, referred to the suggestion made by the Delegation of Brazil and recommended to add the following after the reference to UN bodies and IGOs: “could also be invited to participate in these discussions as accredited observers”. That language could make it clearer. Regarding the strategy number 2,

the Group considered helpful to add a reference to the twenty-second session of the CDIP or que session in which the Committee had taken the decision, in order to have a clear starting point for the organization of the three conferences.

176. The Delegation of Switzerland supported the approach to have a first reading of the document and to put the pending issues in a separate document. It enquired about the process of the discussion and the first reading of each proposed strategy and sought clarification if Member States could propose amendments to the text at that stage.

177. The Chair clarified that it was an exercise to identify the general comments from Member States on each of the 15 proposed implementation strategies. No redrafting of the text would be done at that stage. He noted that there were no comments regarding strategy number 2. He further open the floor for comments on strategy 3.

178. The Delegation of Indonesia, speaking in its national capacity, requested further clarification on how the Secretariat considered that implementation strategy number 3 addressed recommendations 6 and 7.

179. The Delegation of Canada, speaking on behalf of Group B, supported the implementation of strategy number 3. It noted that the second modality made reference to the web forum on technical assistance. Since that was considered as an outstanding question, it proposed to remove this mention without affecting the scope of the proposed activities.

180. The Secretariat (Mr. Baloch) referred to the comment made by the Delegation of Indonesia on recommendations 6 and 7. As it had been mentioned, there were different actors to whom the recommendations were addressed: Member States, the CDIP and the Secretariat. In that regard, recommendation 6 was mostly addressed to the Member States and the CDIP. It also stated that “higher-level participation of national based experts should be enhanced in the work of the Committee”. Hence, the implementation strategy proposed that a sub-agenda item could be added to the CDIP agenda for sharing experiences. It recalled that when the Roundtable on Technical Assistance took place, there was a larger participation of national level experts in the Committee and the discussions were richer. As for recommendation number 7, the second line stated that “the establishment of a reporting mechanism on the lessons learned and best practices from successfully implemented Development Agenda projects” should be considered. That was what the Secretariat intended to reflect in the implementation strategy for number 3.

181. The Delegation of Indonesia, speaking in its national capacity, stated that if the analogy was the Roundtable on Technical Assistance it did not feel comfortable of having the agenda item on “IP and Development” crowded into that implementation strategy. It should be under the other agenda item. It enquired if that was a duplication with the evaluation of any completed DA project and the reporting of the completion of DA projects. It was done by the Member States and on a voluntary basis. The Delegation highlighted the importance of avoiding any duplication of work. If there were a lot of mistakes in the implementation of a DA project in their countries, they would not want to disclose such information in front of other Member States. It reserved its further position with regard to implementation strategy number 3.

182. The Delegation of South Africa referred to implementation strategy number 4 and noted that it was related to recommendations 1, 4 and 12. Number 4 was relevant because it involved the emerging development challenges faced by the IP system and how to benefit from the active engagement with other UN agencies and their expertise. That could not be limited only to the implementation of the SDGs, but also for the implementation of the DA Recommendations.

183. The Delegation of Canada, speaking on behalf of Group B, also referred to implementation strategy number 4, which proposed to invite UN agencies, other IGOs and NGOs to the CDIP

sessions to share their experiences and the implementation of SDGs. It preferred that such presentations were done at side events during the CDIP because of the limited time of the plenaries. Furthermore, the format of the plenaries would not lend itself for such sort of presentations.

184. The Chair took note of the observation.

185. The Delegation of Iran (Islamic Republic of) aligned itself with the statement made by the Delegation of South Africa. It noted that the adopted recommendation 12 only referred to the DA and its implementation, and the proposed implementation strategy number 4 did not refer to the DA Recommendations.

186. The Chair noted that there were no comments on implementation strategy number 5.

187. The Delegation of Indonesia, speaking in its national capacity, expressed its appreciation for the proposed implementation strategy number 6.

188. The Delegation of Canada, speaking on behalf of Group B, referred to implementation strategy number 7. It noted that it overlapped with number 15. It considered the creation of an actual database as resource-intensive in the present context. To the extent that new information and materials would be developed by the Secretariat, it proposed to fold them under WIPO's existing portals relating to the DA as opposed to housing them on a new platform.

189. The Delegation of Brazil referred to the database and mentioned that there was no final decision about it. It considered that it would be interested to explore ways in which the Secretariat could help countries in a more systematic way to develop projects. One of the difficulties was developing the project proposal and suggested that the Secretariat could advise countries on that in a more structured and systematic manner.

190. The Chair stated that if such a proposal was agreed by Member States, the Secretariat would follow their decision.

191. The Delegation of Indonesia, speaking in its national capacity, expressed its appreciation for implementation strategy number 7. It could support the inputs made by Group B. It noted that there was a struggle to formulate a strategy to address recommendation number 7 on how to make sure that Member States would be more encouraged to formulate new DA projects. Its proposal on an implementation strategy was for the Secretariat to publish a module on the steps that Member States or their capitals could consult if they intended to propose a DA project.

192. The Chair noted no comments on implementation strategies 8 and 9.

193. The Delegation of Indonesia, speaking in its national capacity, referred to implementation strategy number 10 and requested clarification on the assessment made by the Secretariat regarding the capacity and the level of expertise of countries wishing to participate in DA projects.

194. The DDG (Mr. Matus) confirmed that any activity undertaken by WIPO had an initial assessment of the realities in that country. The work was done in collaboration with the countries, without any imposition.

195. The Delegation of Canada, speaking on behalf of Group B, referred to implementation strategy number 7 and stated that its statement also applied to strategy number 15.

196. The Delegation of Brazil expressed its support for implementation strategy number 15. It considered it a very important suggestion, especially that there was an increase in the

development of courses by the WIPO Academy. It considered important to have a course on IP and development.

197. The Delegation of Indonesia, speaking in its national capacity, recalled that implementation strategy number 2 was not addressed and further discussions were necessary. It took note of the comments made by Member States, delegations and regional groups with regard to the strategy number 2. If the understanding was resolved, it could be used as an example for similar circumstances in the future.

198. The Delegation of Iran (Islamic Republic of) referred to implementation strategy number 7. Based on the proposed modalities, it considered that developing a database to compile the lessons learned was not required. That could be done within the framework of the existing databases. It requested the Delegation of Canada, on behalf of Group B, to clarify their concern.

199. The Delegation of Canada, speaking on behalf of Group B, addressed the question raised by the Delegation of Iran (Islamic Republic of). It clarified that it wanted to make sure that the word “develop” did not exclude the possibility of using the existing platforms and to explore the possibility of using any appropriate platform that could achieve the same goal, in order to avoid any duplication of work.

200. The Chair concluded the session of the day and informed the Committee that the discussion on this item would continue on Friday.

## **AGENDA ITEM 7: MONITOR, ASSESS, DISCUSS AND REPORT ON THE IMPLEMENTATION OF ALL DEVELOPMENT AGENDA RECOMMENDATIONS AND CONSIDERATION OF THE DIRECTOR GENERAL’S REPORT ON THE IMPLEMENTATION OF THE DEVELOPMENT AGENDA (resumed)**

### Consideration of document CDIP/23/10 – Report on WIPO’s Contribution to the Implementation of the Sustainable Development Goals and its associated targets.

201. The Secretariat (Mr. Bouabid) introduced the third consecutive report produced since the Committee’s decision of November 2016 that requested the Secretariat to present an annual report on WIPO’s contribution to the implementation of the SDGs and its associated targets. The report contained information on the Organization’s programs and on the initiatives taken by WIPO in 2018 which contributed to the implementation of the SDGs. Additionally, WIPO’s Strategic Goals described the wide variety of programs and activities undertaken by competent sectors in order to implement the SDG’s. The 2018/2019 Program and Budget incorporated the SDGs into the Organization’s Strategic Goals. The Results Framework for 2018/2019 highlighted the Strategic Goals and expected results that contribute to the achievement of the SDGs. A large range of programs and activities that contributed to the achievement of the SDGs had been undertaken by the relevant sectors of the Organization under each Strategic Goal. Out of the thirty-one Programs of the Organization, as adopted in the 2018/2019 Program and Budget, twenty-two were linked to the SDGs. The Secretariat recalled that eight programs under Strategic Goals VIII & IX were related to support functions. WIPO’s activities in support of the SDGs were described in section A of the report and were spread across all Sectors and Departments of the Organization. The title of the Division for LDCs was to be inserted after paragraph 87 and before the subtitle “knowledge and transfer of technology”, as paragraphs 88 to 95 related to the activities of this Division. Section B of the report reflected the initiatives and activities carried out by WIPO within the United Nations System, in partnership with intergovernmental organizations and NGO’s. Regarding the last Section of the report, there were no requests in 2018 for assistance related to SDGs.

202. The Delegation of Croatia, speaking on behalf of the CEBS Group, noted that the third annual Report on WIPO's contribution to the achievement of the SDGs provided a comprehensive overview of activities undertaken by WIPO individually and as part of the UN System. The Group noted that Member States should be encouraged to ask for specific support in the implementation of the SDGs. It could not exclude that no specific requests had been expressed by individual Member States so far because the existing activities already largely responded to Member States' needs. It noted with satisfaction that different WIPO activities linked to databases, platforms and systems aimed to implement Agenda 2030, mainly SDG 9 on industry innovation and infrastructure, and SDG 17 on global partnership for sustainable development.

203. The Delegation of Tunisia associated itself with the statement made by the Delegation of Uganda on behalf of the African Group. It welcomed WIPO's commitment and contribution to the attainment of the SDGs and their associated targets as agreed at the 18<sup>th</sup> session of the Committee and noted with satisfaction the regularity and richness of the Report and its content. It restated WIPO's role in achieving the SDGs and Agenda 2030. As a UN specialized Agency, WIPO should inspire Member States in their respective national policies to implement the SDGs. It commended the initiatives carried out by WIPO individually and within the UN system and the progress made. It stressed WIPO's efforts and its contribution to the implementation of the SDGs in respect of drafting and implementing WIPO's program for finding synergies between IP, tourism and sustainable development. It also encouraged to increase its collaboration with the World Tourism Organization in order to integrate IP in sustainable tourism. In addition, WIPO should continue to support Member States in using IP for their economic and social development through its regional Bureaus. It welcomed the fact that several regional and sub-regional seminars on IP and development, innovation, trade and gender parity were held. It relied on WIPO's expertise and collaboration to help Member States to implement the SDGs in the framework of their national development.

204. The Delegation of Morocco endorsed the statement made by the Delegation of Uganda on behalf of the African Group. It reiterated its firm commitment to achieve the SDGs as well as their inclusion within the priorities of the Organization in order to meet the challenges in the area of development. It referred to the tangible progress in countries with technological difficulties. Since SDGs were quite varied, these countries ran into such kind of challenges and it was difficult to establish a correlation with IP. It recalled the support expressed by the Organization in that area and referred to the example of the 2018 budget, which allocated a particular budget envelope for the SDGs given the new activities in the context of the UN family. It also took into account the effective and balanced measures taken, which led to more innovation and invention for all countries in the world. It stressed the role of the Regional Offices in achieving the SDGs. They did an extensive work in the context of socio-economic development through development campaigns, training programs, seminars and workshops. It also referred to the achievements of the Regional Office for the Arab Group. The Regional Office made tremendous efforts, and Morocco hosted certain events due to the Memorandum of Understanding signed in 2018, between the WIPO Regional Office and the Moroccan Office in charge of all industrial innovation. It sought to increase the effectiveness of all the shareholders and players in the area. Then it mentioned that another seminar was held in the previous year, which reflected a joint effort with the department for technological support. The countries that attended the event exchanged experiences under the coordination of various Arab Countries. The WIPO Academy played a very important role in achieving the SDGs by involving a whole network of participants and Morocco played a decisive role in the Arab countries. There were many beneficiaries from the Marrakech Agreement in terms of leadership and judicial administration of IP. In the previous year, the Institute of The High Courts contacted the Office of the Legal Advisor to exchange experiences and views in the context of South-South cooperation. It stated that the work of the Committee allowed to make tangible progress and to adopt new activities and programs of global nature. The different mechanisms of recommendations for development made the

implementation of SDGs more instrumental. Such mechanisms took into account topics such as artificial intelligence (AI) and the digital revolution to emphasize the role of WIPO.

205. The Delegation of Romania, speaking on behalf of the EU and its member states, noted that the Report underlined the responsibilities of Member States for the implementation of the 2030 Agenda and for economic and social development. It considered that the amount of activities and initiatives undertaken by WIPO for the implementation of the DA was impressive. It also encouraged WIPO to continue to play an active role in supporting Member States. WIPO's support should remain focused on the implementation of SDGs relevant to its work and mandate, mainly on SDG 9 on industry, innovation and infrastructure and SDG 17 on global partnerships for Sustainable Development.

206. The Delegation of Canada, speaking on behalf of Group B, commended the reporting structure, which broke down a list of initiatives by relevant IP areas among other items, and provided concrete reference points to situate WIPO's activities. The Group welcomed the decision reached at the 21<sup>st</sup> session of the Committee that specific discussions on the topic of SDGs should be undertaken under the agenda item on "IP and Development". Topics selected for discussion under that item were relevant in the context of SDG 9, among others. Those thematic discussions would continue to raise awareness of SDGs and would also help Canada to set new pathways of implementation. The Group supported WIPO's efforts on the implementation of SDGs, though the primary responsibility for achieving the SDG lied on the Member States. Based on the Report, it noted that WIPO had not received any requests from the Member States seeking assistance related to the attainment of SDGs for a third consecutive year. In that regard, WIPO had an important role to play in supporting Member States to implement the SDGs and it encouraged to reach out to the Secretariat in order to seek targeted support as needed.

207. The Delegation of Uganda, speaking on behalf of the African Group, highlighted the collaborative approach and the need of a well-functioning international framework to achieve the SDGs, despite of them being an individual responsibility from Member States. It welcomed WIPO's ongoing initiatives to contribute to the SDGs and noted the tremendous improvement in the way WIPO reported on its contribution, compared to the first Report, which only focused on SDGs 9 and 17. It recognized that was a work in progress with room for further improvement. Furthermore, the Report made it possible to see the range of initiatives deployed by WIPO to contribute directly or indirectly to SDGs, including the mainstreaming of SDGs in WIPO, the work of WIPO's bodies, and support in the development of a balanced international IP framework through WIPO's reports, databases, a range of WIPO platforms, as well as registration systems. It also explained how selected CDIP projects were incrementally contributing to the SDGs. The Report also documented the initiatives undertaken by WIPO within the UN system or in partnership with other IGOs, NGOs and its contribution to the SDGs. The Group expressed its regret that the section of the Report regarding assistance provided to Member States did not provide such information due to the absence of requests for assistance from Member States. In order to break that silence, it requested the Secretariat to provide information on the type of assistance it could provide to Member States, and encouraged Member States to engage in submitting specific SDG-related requests for assistance and ask the Secretariat for support in that regard. The Group also requested the Secretariat to engage in efforts to link WIPO initiatives and activities to specific SDG targets.

208. The Delegation of Guatemala, speaking in its national capacity, acknowledged the comprehensive Report on WIPO's contribution to the implementation of SDGs, and reaffirmed its support in the attainment of the DA, particularly on items related to technical assistance provided by the Organization for the development of the IP system; for instance on the development of national strategies, legal advice and further actions to promote social and economic development. The support to the TISCs was an important asset to generate and share

information as well as for the protection of IP rights. Likewise, it reaffirmed its support for the empowerment and participation of women in all the phases of innovation and the processes of IP.

209. The Delegation of China was pleased to see that in 2018 WIPO continued to conduct fruitful work in implementing SDGs. The activities were in support of SDG 9 and included the WIPO Green program. It mentioned that the Chinese government attached great importance to SDGs implementation with a focus on innovation and coordination for a green, open and neutrally benefiting development. It established a partnership with more than eighty countries on international cooperation, providing support for the implementation of SDGs and technical assistance for developing countries through the WIPO Chinese Funds-in-Trust. In February 2019, China had held a workshop on IP and SDGs, which provided a better understanding on the linkage between IP and SDGs and encouraged greater engagement in their implementation. More than one hundred people coming from relevant government bodies, enterprises and academia had attended the event. It looked forward to explore and exchange the practices and experiences on IP and SDGs.

210. The Delegation of Indonesia, speaking in its national capacity, noted that science, technology and innovation were a major driver in the achievement of Agenda 2030. It stated that innovation was at the heart of the Organization's mission and that the achievements of the SDGs depended on the development and diffusion of effective technologies. IP could help to achieve the SDGs by facilitating the uptake and definition of new ideas and technologies. A balanced and effective IP system would enable domestic innovation, creativity and diffusion of technology across borders for the benefit of all, which was in line with the WIPO's mission. It welcomed the Report and noted that the DA was at the heart of WIPO's contribution to the implementation of the SDGs. It continued to support WIPO's programs, projects and activities that helped Member States to create or strengthen a positive environment for innovation and creativity to achieve the SDGs. It encouraged not only Member States but also the Organization to reach out to others to discuss plausible mechanisms and forms of support that could enhance the collaboration between Member States and WIPO on the attainment of the SDGs. It also referred to the resolution adopted by the UN General Assembly on December 2017 on Science, technology and innovation for development, which recognized the importance of an efficient, balanced and effective IP framework and encouraged the WIPO to continue to undertake technical support activities. The Delegation welcomed the Program and Budget of the Organization, which placed a link between WIPO's Strategic Goals and the SDGs. It encouraged WIPO, as a specialized Agency of the UN, to participate in UN processes supporting the preparation of Agenda 2030 and the SDGs. It emphasized that innovation and creativity were not goals in themselves but means and tools for creative solutions. Development challenges, at the heart of the system, had an impact in most of the SDGs. Furthermore, it referred to the assistance provided by WIPO to the Member States and encouraged them and the Organization to reach out to each other to discuss possible mechanisms and forms of support that could result in a closer collaboration between Member States and the Organization on the attainment of the SDGs.

211. The Delegation of Brazil stated that the link between innovation and economic and social progress was undisputed. Successive eras of development were associated with technological breakthroughs and improvements in welfare. There was a positive correlation between new technologies, capital investment, expansion of the labor force, increased productivity, raise of income levels, improved public health, easier transformation and better education. There was enough evidence that developing countries could not escape the "middle-income" trap without promoting innovation. Innovation was the main driver of a country's competitiveness and economic growth in the medium and long-term economic growth. It considered that the next generation of technologies would contribute to reduce poverty and improve the lives of billions of people. For such improvements to happen, Brazil considered that the Member States had to devise policies in accordance with these new realities. Those policies should ensure a fair distribution of the fruits of human ingenuity and preserve proper incentives for innovators.

The development perspective was essential to bridge the knowledge gap and the digital divide between and within nations. It was a challenge that all countries faced. It mentioned that WIPO, as a specialized UN Agency on innovation and IP, was well placed to play a leading role in helping Member States to adapt their policies. The Organization's contribution to the implementation of the SDGs, especially SDG 9, was imperative. It referred to the mandate of the CDIP, which brought the topics of the SDGs without any prejudice to the discussion under WIPO Committees. The implementation of the SDGs had to be an integral part of WIPO's Program and Budget. It welcomed the third annual Report on WIPO's Contribution to the Implementation of the Sustainable Development Goals and its associated targets and commended the structure of the Report, in particular, the detailed description of WIPO's activities and initiatives in different areas. The Report was certainly a first step in the right direction to bring SDGs to the center of discussions in WIPO. It considered that the CDIP had the collective responsibility to do more on SDGs, especially now that it was agreed to discuss such topic under the agenda item on "IP and Development". Therefore, the Delegation believed that the next topic discussed under that agenda item should be related to SDGs, and urged the Member States to reflect on that in order to present a proposal in those lines at the next session of the CDIP.

212. The Delegation Iran (Islamic Republic of) took note of the information contained in document CDIP/23/10. It expressed its support to the constructive examination of topics that worked towards achieving the SDGs in a crosscutting manner. The success of the SDGs depended on innovation and the development of new solutions. Regarding activities and initiatives undertaken by WIPO, it was pleased to see SDGs as an important feature in WIPO's programs and activities for the next biennium, and mainstreamed across WIPO Strategic Goals and Expected Results. It underlined the role of the WIPO's databases and platforms in achieving the SDGs. Furthermore, it noted the importance of the WIPO technical assistance and capacity building programs, in particular the activities of WIPO Academy and Regional Bureaus. The realization of SDGs required a revitalized global partnership. In that regard, WIPO's active and continued engagement in activities of the UN family, particularly innovative related activities within the framework of its mandate and strategic objectives, were admirable. It encouraged more engagements of WIPO and UN agencies on science, technology and innovation. Regarding technical assistance provided by WIPO to Member States, it recognized that there was no request from Member States and considered that if the Secretariat could provide more information on the formats, it would be helpful for Member States to decide how they could benefit from WIPO's potential for the realization of the SDGs at the national level.

213. The Delegation of Lebanon referred to the activities undertaken on the matter, both quantitative and qualitative, which deserved a great deal of praise in the area of sustainable development. SDG 9 was at the heart of the mandate of the Organization. The Report reflected the close cooperation between the various actors, not just UN actors, but also with the private sector to establish participatory networks. Many activities focused on Sustainable Development, for example, the training of judges, the role of women and many other subjects. In the context of the DA, Lebanon was one of the first beneficiaries, thanks to its effective participation in many events held in Beirut and other cities. WIPO should strengthen its efforts in the next few years and encourage Member States to have further cooperation in order to implement all the activities under the DA.

214. The Delegation of Mexico recalled its recognition for the Secretariat's efforts to identify the way in which the Organization's work contributes to the implementation of Agenda 2030. It recognized SDG 9 and its link to WIPO's work, considering that a properly balanced international IP system, encouraging creativity and innovation for the benefit of all, could have a positive impact in most of the SDGs. The Organization and Member States should encourage innovators to contribute to the creation of new technological processes to improve people's lives. For instance, to increase agricultural productivity, food security, improve access to energy and make better use of energy, combat diseases and protection of the environment. It also

recognized the contribution of WIPO's databases, platforms, and programs, which helped countries to increase their innovation. It welcomed WIPO's approach to technical assistance activities and capacity building activities among Member States. It called upon the Secretariat to share its commitment with the UN system in the achievement of Agenda 2030 and expressed its concern with the lack of requests on WIPO's assistance from Member States for the attainment of SDGs.

215. The Delegation of Spain referred to the way in which Member States could receive assistance from WIPO and achieve the SDGs in the area of IP. It was convinced that the Agenda 2030 offered a unique opportunity to change and create a better environment for IP institutions. The SDGs were a lever for change in that context, through a broad range of activities to promote creativity and innovation in order to achieve the sustainability of all these actions. It referred to its Patent Trademark offices, which carried out activities to achieve the SDGs, mainly 9 and 17. Those activities focused on three main areas. First, specialized trainings to meet new challenges, facilitating the participation both in multi-sectoral activities and in training courses. Second, relationships between SDGs and IP. There was a report to help in the planning of related activities that identified the SDGs that were related to the activities of the offices and evaluated the respective methodologies to measure the real impact of such activities. Third, regarding the strategic partnerships between the public and private sector, it enquired from the Secretariat about the methodologies used to measure the contribution of WIPO's activities to the SDGs. It concluded that Agenda 2030 was a challenge in Spain and it had tried to earmark necessary resources to affect changes in cooperation mechanisms along the lines of the Agenda 2030.

216. The Delegation of Senegal associated itself with the statement made by the Delegation of Uganda on behalf of the African Group. It noted the regularity of the Report and the improvement of its content. It stated that each country was responsible for their respective economic, social, and cultural development. It was pleased to note the greater awareness of WIPO's role in partnerships for harmonious development, particularly in creating a well-balanced and effective IP system that encouraged innovation, creativity, and the transfer of technology and skills. It considered innovation as a way of achieving a specific objective or goal. It was pleased to see that out of the seventeen SDGs, number 9 was the most connected with WIPO's mission. Intellectual property continued to play a decisive role in the policies and strategies for the implementation of Agenda 2030 and encouraged WIPO to continue its efforts in technical assistance, strengthening capacity building, transfer of technology and increasing access to knowledge.

217. The Delegation of Chile noted the wide range of activities carried out by WIPO for the attainment of the SDGs. It confirmed that WIPO was in a good position to contribute not only to SDG 9 but also to all of the SDGs. For Chile, IP was a tool that should promote innovation, creativity and the wellbeing of people. After reiterating about the indivisible and universal nature of the SDGs, it urged Member States and the Organization to achieve them and avoid an isolated approach to them. It also noted with pleasure the progress showcased in the Report and encouraged WIPO to continue these efforts to achieve the SDGs.

218. The Delegation of Cote d'Ivoire supported the statement made by the Delegation of Uganda on behalf of the African Group. It highlighted the active and important role that Cote d'Ivoire played within the SDG process and in the adoption of Agenda 2030 and the SDGs in 2015, through a number of regional initiatives. Its Government took into account the SDGs in all the areas of its national development plan. It was important to note that with an average economic growth of 7 per cent since 2012, this was a good opportunity to speed up a race towards achieving SDGs. It urged WIPO, as a specialized agency of the UN, to step up its action in the achievement of the SDGs and its associated targets by increasing its activities for developing countries through the DA and the provision of relevant technical assistance.

219. The Delegation of Burkina Faso endorsed the statement made by the Delegation of Uganda on behalf of the African Group. It noted with satisfaction that the Report demonstrated WIPO's contribution to the implementation of the SDGs and its associated targets and the efforts made to obtain such results. The SDGs were important for all countries and it was pleased to see that these activities were based on the needs of developing countries, particularly LDCs. Burkina Faso noted that SDGs were an important focus of WIPO activities and encouraged the Organization to continue those efforts in order to enable Member States to leverage IP for development.

220. The Delegation of Australia associated itself with the statement made by Group B. It took the opportunity to raise awareness of some important activities delivered by WIPO to realize the SDGs, in particular WIPO Re: Search, WIPO Green and the Accessible Books Consortium partnerships. Australia supported those partnerships through the Australia Funds-in-Trust program (Australian FIT). The Australian FIT had supported WIPO Re: Search through sponsoring research placements and development institutions for the scientists known as FIT Fellows from the Indo-Pacific region. It funded a side event during the First Malaria World Congress in 2018, which allowed the FIT Fellows to share their research and consolidate professional networks. WIPO Green also benefited from the Australian FIT through a matchmaking activity to facilitate the transfer of technologies in the areas of energy, clean air, water and agriculture in the Asia Pacific region. On the Accessible Books Consortium partnership, the FIT had an impact in 51,000 people through the production of 3,052 educational accessible books in the national languages of beneficiary countries. It also highlighted the importance of SDG 5 on gender equality. Every component of the Australian FIT sought to enhance the voice of women in decision-making for the respective IP systems and promote women's economic empowerment. It looked forward to continue to the realization of the SDGs, particularly through the Australian FIT, and encouraged the Member States to support the implementation of SDGs within their regions.

221. The Delegation of the Russian Federation pointed out the efforts and contribution made by the Organization to support the development of a complex ecosystem of innovation, which was one of the most important conditions to achieve the SDGs. It recalled the importance of WIPO's publications and analytical information on the economic aspects of IP. It valued the work of the Organization to assist developing countries and LDCs in the use of the IP system to stimulate economic, social and cultural development. It also recalled the importance of the measures aimed at training qualified specialists and IP experts, including the WIPO program on how to submit IP applications, the awareness-raising program and on the transfer of technology for IP development. It noted the interaction of WIPO with other UN agencies, including in the interagency task force on science, technology and innovation and the interagency study group.

222. The Delegation of Rwanda associated itself with the statement made by the Delegation of Uganda on behalf of the African Group. It referred to the Report, which provided an extensive range of SDG-related activities and initiatives undertaken by WIPO, individually or as part of the UN system, and the yet-to-come assistance to Member States. It noted its comprehensiveness and the provision of a long list of tasks, partnerships and programs performed by WIPO to implement this bold program. It agreed with the report and considered Agenda 2030 for Sustainable Development as the most ambitious Agenda in human history. It deemed crucial to press for a global sustainable development in order to address the economic, social and environmental prosperity for all nations. It also considered that each country had the primary responsibility to implement the SDGs and a global partnership was very important for their full realization. In that context, it commended WIPO for its contribution within its core competencies, particularly by promoting the innovation ecosystem through a balanced and effective IP system that could also encourage innovation and creativity. Many of the SDGs were relevant to WIPO's expertise. The Delegation noted that WIPO's Program and Budget for 2018/19 biennium

mainstreamed development and SDGs across the Organization's Strategic Goals, and the results framework highlighted the Strategic Goals and Expected Results that could contribute to the implementation of SDGs. It referred to what WIPO had to offer on the matter, for instance the PATENTSCOPE database, WIPO platforms such as TISCs, WIPO partnerships such as WIPO Green, knowledge and technology transfer for the benefits of LDCs, WIPO Academy for IP education, training and capacity building, etc. It acknowledged the WIPO Academy's assistance, as Rwanda benefited from a large number of capacity building activities in recent years through the WIPO digital facilities for training, and it encouraged the Organization to pursue those efforts. As regards assistance to Members on SDG-related programs, it noted that there were no requests. It believed that a collaborative effort between Member States' initiatives and WIPO was necessary in order to make that happen. Furthermore, Rwanda had submitted a comprehensive request to the WIPO Director-General for supporting a prosperous innovation system defined as a bold request for a bold program. Although no specific reference was made to SDGs, it was implicit. It suggested working together with WIPO to make that happen, in order to translate that request into a comprehensive support, particularly in relation to SDG 9.

223. The Delegation of Algeria associated itself with the statement made by the Delegation of Uganda on behalf of the African Group. It welcomed the fact that the Report was comprehensive and well structured, and highlighted the progress achieved by WIPO through its active involvement as a specialized Agency of the UN in the implementation of the Agenda 2030 and SDGs. It also stressed its full support for the SDGs and WIPO's efforts to contribute to their implementation through its activities and initiatives, individually or within the UN system, and through technical assistance provided on request to Member States. The Delegation welcomed its commitment to put SDGs at the heart of a well-balanced and effective IP system that encouraged creativity and innovation. It believed that countries should commit themselves more to the programs, platforms and activities that enabled Member States to have a simpler and better-balanced access to knowledge and to an environment that encouraged the economic, social and cultural development. It considered pertinent that WIPO had an interest in the SDGs and highlighted the transversal and indivisible approach of SDGs, which was present in most of the activities performed by WIPO, especially in the context of the DA and the Program and Budget. Furthermore, it commended WIPO's initiative to develop this kind of analytical report (referring to the Report on WIPO's contribution to the SDGs), which had a focus on IP and innovation in a global scale. Thus, it encouraged the Secretariat to assess the possibility of adding more indicators, to measure the impact of the policies and activities undertaken by WIPO to implement the SDGs.

224. The Delegation of South Africa aligned itself with the statement made by the Delegation of Uganda on behalf of the African Group. It welcomed WIPO's commitment to contributing to Agenda 2010, the international community's blueprint to make this world a better place since 2015. It believed in the important role that WIPO had to play in the implementation of the SDGs and its associated targets. The Secretariat's Report highlighted the activities that WIPO has embarked upon to address a number of SDGs, directly and indirectly. It acknowledged that the implementation of the SDGs remained the responsibility of Member States, although it considered that it could hamper the capacity and technical knowhow in the area of IP and development. It reiterated its conviction that WIPO's DA remained one of the most important pieces of the puzzle in the advancement and attainment of the deliverables of the SDGs. It also stressed that WIPO could do more in order to contribute to the implementation of the SDGs. There was room for improvement and that had to be complemented by Member States by utilizing fully the available opportunities. It stated that SDGs were compatible with its national development plan, as well as the African Union's Agenda. WIPO should ensure an evident impact and contribution to the SDGs through its programs, projects and activities. WIPO also benefited from collaborating and sharing information with other UN agencies actively involved in the implementation of SDGs. The Delegation considered it important to think broadly about the SDGs.

225. The Delegation of Gabon associated itself with the statement made by the Delegation of Uganda on behalf of the African Group. It encouraged WIPO to increase its cooperation with other organizations such as the UN and the African Organization for Intellectual Property in order to achieve all of the SDGs in which its participation was very much expected. It was pleased with the Report because it demonstrated major progress in taking account of SDGs in the regular programs of WIPO and encouraged the Secretariat to continue in that direction.

226. The Delegation of Pakistan noted the crosscutting nature of the SDGs. It observed in the Report that Member States did not seek assistance related to SDGs from WIPO and suggested the Secretariat to guide them on projects that could offer more potential in terms of effectiveness for IP and development. The Secretariat should also undertake promotional work on SDGs to inform Member States on its technical assistance and capacity building activities to contribute to the SDGs. Instead of creating a new mechanism, it suggested using the existing activities for SDGs by integrating a component on SDGs for IP. Moreover, capacity building of government officials and policymakers should integrate a trilateral approach comprising SDGs' technical assistance and IP. It noted that WIPO Academy could play an instrumental role in that regard because of its enhanced role to impart training on SDG-related models. Furthermore, the Delegation recommended that Secretariat undertook an assessment of best practices on implementation of SDGs by other UN agencies and IGOs, to make a comparative analysis for further improvement, and to report in the future focusing on issues of fair and affordable access to IP protected technologies in order to implement the SDGs.

227. The Delegation of Egypt stated that the Report provided a detailed mention of WIPO's activities directly related to SDGs as well as the individual initiatives of WIPO in the context of the UN system and together with other specialized agencies. It commended the role of the Organization in strengthening the IP system and in assisting Member States to obtain the SDGs. It awaited further information from the Secretariat on available technical assistance activities to help in the implementation of the SDGs. It also encouraged all Member States to benefit from those technical assistance activities.

228. The Delegation of Malaysia acknowledged the good work undertaken on SDGs by this Committee and during the recent PBC, where the SDGs were incorporated into each program under the Program and Budget planning for the 2020/2021 cycle. It commended the increase of WIPO's activities both individually in part A and as part of the UN system as reflected in part B. That underlined the collective role of WIPO and all Member States in contributing to the attainment of all 17 SDGs. It noted that comments in the section on assistance provided by WIPO to Member States upon request, part C, remained unchanged. It would appreciate if the Secretariat could shed some light on the type of assistance that WIPO could offer and guidance in that regard. It enquired about the assistance provided by WIPO to Member States upon request and referred to paragraphs 13, 14 and in 22 under part A of the Report, on activities and initiatives undertaken individually by the Organization. Concerning the request for assistance from Member States, specifically in paragraph 13, it stated the following: "WIPO receives many requests for assistance from Developing and Least Developed countries," and in paragraph 14, "Through its Member State approved programs". The paragraph established that the WIPO Secretariat supported Member States in creating the conditions for innovation and creativity to thrive and respond to their requests for assistance. Furthermore, paragraph 22 noted that WIPO received seven new requests from 26 Member States for the establishment of TISCs networks in 2018. However, such element was not reflected in part C on the assistance provided by WIPO to Member States. It requested the Secretariat to shed light on this and to increase the interaction between Member States in the effort to explore activities that could contribute and fulfill part C of the Report. It would appreciate more engagement with the Secretariat and hoped to be kept regularly informed of the progress and the implementation of the SDG actives, initiatives and WIPO's engagements with other UN organizations.

229. The Secretariat (Mr. Bouabid) appreciated the positive comments and support shown by Member States. It stated that there were no provisions under the Agenda 2030, the associated targets or under any of the indicators adopted by the UN General Assembly or ECOSOC that were directly linked to IP. All the activities undertaken by WIPO were principally related to SDGs 9 and 17 but with a broad impact on the other SDGs. The contribution made by WIPO was not only due to the fact that it was a specialized UN Agency, but also as an Organization that focused on innovation which had a direct and fundamental impact on the implementation of the SDGs. It appreciated the positive comments by Member States and referred to the multiple requests for the Organization to continue its commitment on that matter and, perhaps, to help Member States to make more requests that might come under section C of the Report. For the third consecutive year, there were no requests for assistance from Member States that refer specifically to SDGs. There had been three reports which demonstrated the Organization's intention to go further and provide more information for Member States. However, the Secretariat itself could not decide the SDG into which a request made by the Member States, should fall. WIPO was a demand-driven Organization which carried out instructions, and Member States initiated demands or request for projects. The Secretariat remained open to any requests and to make information more accessible. A new webpage on SDGs was launched on that day on the WIPO website, and provided access to information on WIPO's programs and activities in the area of SDGs, and illustrated a certain number of relevant case studies. The aim was to make the information available in an easy, attractive and accessible way, with more information on what the Organization offered in terms of services and programs, and to help the Member States and their respective IP offices. It gave the floor to Ms. De Icaza to present the webpage on WIPO and the SDGs.

230. The Secretariat (Ms. De Icaza) stated that the webpage was launched on that day in English and the other five official UN languages would follow. The webpage was divided into five main sections, comprising a small introduction on WIPO and the SDGs, information on innovation, competitiveness, creativity, and UN partnerships. It was built in an accessible and informative manner, illustrated by many case studies, examples and images. At the top of the webpage page, it was highlighted that WIPO's work was guided by the DA and SDG 9, which were at the core of the Organization's mission, nonetheless innovation was essential in achieving a number of other SDGs and an innovation policy framework that could indeed assist in achieving most other SDGs. The "innovation" section provided information on innovation for nations, referring to several WIPO initiatives such as the Global Innovation Index, legislative work and support (treaties, legislative advice), and specific events or activities related to SDGs. That section further provided information on all activities on supporting national IP institutions with their infrastructure, such as the use of new technologies, image search and the translation software made available by WIPO. That was followed by information on trainings, education and dispute resolution. The sections were followed by case studies and in that case, there was information on a case study from Bangladesh which illustrated the importance of having an innovative nation. The "innovation" section also comprised information on patents, improving access to the patent system, improving drafting skills, transfer of knowledge from universities and research institutions, the WIPO IP Toolkit for Universities, technical assistance related to patents, international cooperation about patents, Traditional Knowledge and Genetic Resources, and public information on products created by WIPO to communicate on that issue. That was followed by a case study focused on the Inventor's Assistance Program. The next sub-section under the "Innovation" section was dedicated to "Patent information and innovation" which provided information on WIPO instruments like PATENTSCOPE, TISCs, the recent Technology Trends Report, ASPI (Access to Specialized Patent Information), ARDI (Access to Research for Development and Innovation) platforms and the program on appropriate technologies. Again, the information was followed by a case study on an appropriate technology contest in the Caribbean. The sub-section "Technology partnerships and innovation" comprised information on programs such as WIPO Match, WIPO Green and WIPO Re: Search, followed by a case study by WIPO

Re: Search about a fellow from Ghana who was assisted by Australian Funds-in-Trust, took on a research on neglected diseases. The section on “Competitiveness” was also divided into various sub-sections. The first focused on branding and trademarks, providing examples on the Madrid System, information on technical assistance and a case study on building brands in Thailand accompanied by a video. It further provided information on designs with examples of economic studies, technical assistance activities, the Hague System, followed by a case study from Morocco. The final sub-section was dedicated to “Origin-based products in competitiveness”, comprising information in a similar way: on technical assistance, the Lisbon System and a case study from Cameroon. The section on “Creativity” explored creative enterprises and cultural entrepreneurship, the relation with traditional cultural expressions, including some initiatives by WIPO in these areas, and the case study from an artist from Malawi. The sub-section “Access to creativity” contained information on the Standing Committee on Copyright, the Marrakech Treaty and Private Public Partnerships, in particular the Accessible Books Consortium (ABC) and concluded with a case study on the Marrakesh Treaty and ABC in India. The final section “UN partnerships” provided information to the work of WIPO with other UN organizations related to the SDGs.

231. The Secretariat (Mr. Bouabid) assured that the webpage would be available in all official languages as soon as possible. The webpage provided quick answers, information on what was offered by the Organization together with case studies and studies undertaken by WIPO. In case of a need for more detailed information, the website provided links to the original documents upon which the information on the webpage was based, such as the Program and Budget, Performance Reports, the DA, and the Report on WIPO’s Contribution to the implementation of the SDGs. The Secretariat reiterated that the information published on the webpage provided a quick overview of what was offered by WIPO and the programs and services available. It hoped that would help bridge the information gap and respond to some issues raised by Members during the discussion. The Secretariat remained open to interact closer with Regional Groups or individual countries for any additional information it could provide, to ensure that the next Report would have a more detailed section C due to the inputs provided by Member States. It expressed hope that based on the information made available now, there will be a new wave of requests.

232. The Chair concluded the discussion on the document, given that there were no further comments from the floor. The Committee considered and took note of the information contained in document CDIP/23/10. Member States were encouraged to seek support and assistance from WIPO in achieving the SDGs. It encouraged the Organization to further disseminate information on possible areas of assistance and its mechanisms that were available for Member States, including through the newly established WIPO webpage on SDGs.

#### Consideration of document CDIP/23/9 – Prototype of a Web-Forum on Technical Assistance

233. The Chair invited the Secretariat to introduce the document.

234. The Secretariat (Mr. Baloch) recalled that the six-point proposal on technical assistance included a request to develop a web forum for sharing ideas, practices and experiences on technical assistance. The Committee had considered this matter over several sessions. When considering document CDIP/22/3 on the Feasibility of Establishing the Web Forum on Technical Assistance during the 22<sup>nd</sup> session of the Committee, the Secretariat had been requested to develop a prototype for consideration of the Committee. Document CDIP/23/9 responded to that request. The Secretariat had developed two options of the web forum, which attempted to respond to the ideas shared by Member States during the previous session. Option A was a traditional discussion forum where participants would interact on weekly discussions through a chatroom administered and moderated by the Secretariat. Option B was a webinar platform which stemmed from a proposal made by the Delegation of South Africa. Once a month, an expert would make a presentation on a topic related to technical assistance followed by a

question and answers session with participants. The Secretariat would organize one webinar for each region or language. Both options had certain similar characteristics. First, it was proposed that the discussion forum or webinar platform was open for an initial trial period of six months, after which the Committee would assess the way forward. Second, there were some budgetary implications of both options as reflected in the table provided in paragraph 13 of the document, although an effort had been made to minimize the costs. Third, it was suggested that the Member States were involved in the proposals of topics for discussion in both options, and also the proposal of experts in the second option, in order to trigger a more meaningful engagement.

235. The Secretariat (Ms. De Icaza) made a live demo and referred to option A as a traditional discussion forum based on a chatroom or a “Wiki”. It was an easy to use software based on an area for submitting topics through a “log-in platform”. The platform could be free without logging in but that could cause an impact in the discussions. The user had to write something and then, anybody could access and reply, like a typical web chat forum. If there was a topic up for discussion, it could include links to resources, such as for example the WIPO website, videos and images, to make it more attractive. The second option was structured as a static webpage in the sense that it did not allow so much interaction from the users, a typical WIPO webinar page. The users would be able to register, and all of the information on how to participate and any technical considerations that you need to keep in mind would be there. Once the webinars were finished, there would be an archive where the users would be able to see the video of the past webinar. This page could easily be in the six official languages, the language of the webinar would depend on the region. Option A could be in three of the official languages. The Secretariat highlighted that there was no way to translate the comments. Even though the system supported comments in any language, translation would not be an easy feature.

236. The Delegation of Iran (Islamic Republic of) underlined the importance of the need to provide technical assistance to Member States in an efficient and consistent manner and ensured its continual improvement in terms of both effectiveness and planning. It commended the Secretariat on the two proposed options on the prototype of a web forum for technical assistance. It supported option B considering that it comprised a presentation by an expert, followed by a question and answer session on a particular issue. Experts would increase the quality of the discussion. Holding webinars for a specific region made it more useful and beneficial because the topics would be based on their concrete needs. Furthermore, based on the proposed modality, with an implementation for an initial period of six months, the Committee would have the opportunity to assess its usefulness and make decisions for the future.

237. The Delegation of Romania, speaking on behalf of the EU and its member states, welcomed the two options put forward by the Secretariat. These two options were worth considering as possible alternatives. Each of them was intended to facilitate an exchange of views on technical issues that could benefit stakeholders and other interested parties. It believed that the document provided a good basis for discussion and were willing to hear the preferences and comments of other delegations. It was ready to participate constructively in the debates under that agenda item.

238. The Delegation of Croatia, speaking on behalf of the CEBS Group, noted the two options explained in the document. Option A was a chatroom to provide Member States with a discussion forum to share experiences on technical assistance and option B was a webinar platform to hold webinars on a monthly basis. The Group equally noted that the options did not greatly differ regarding their financial implications and that, if agreed by the Committee, both options would be established on a six-month trial period followed by an independent evaluation. It looked forward to hearing Member States’ comments on the two proposed options.

239. The Delegation of Canada, speaking on behalf of Group B, took note of the differences between both options. It appreciated the live demonstration on how both options would operate

and commended the efforts to reflect the views that were previously expressed by Member States as to the creation of those two prototypes. It looked forward to hearing Member States' comments and views on these options. It stood ready to engage in a constructive discussion on the way forward.

240. The Delegation of Uganda, speaking on behalf of the African Group, highlighted that the continuous discussions and sharing of national experiences and lessons learned from technical assistance activities would greatly contribute to the subsequent delivery of technical assistance activities. The Group had discussed the two proposed options as well as the financial implications for each of them and expressed its support for option B, the webinar. It was convinced that a webinar would enable experts to engage in well-structured, well-moderated discussions, allowing them to submit their comments and views following a presentation made by an expert anywhere at any time. Furthermore, the webinar would ensure flexibility as any participant would be able to pause between discussions and start again at any time of their own choosing while still being able to submit comments, suggestions and questions on proposed topics for discussion at a future time, within the specified timeframe. The Group supported the initial restriction of access to the webinar to Member States only, and the initial running period of six months with an option of review by the Committee. It concluded by encouraging the Secretariat to carry out promotional activities for the web forum to make it widely known to its potential users among the Member States, especially the national IP offices.

241. The Delegation of South Africa aligned itself with the statement made by the Delegation of Uganda on behalf of the African Group. It noted that document CDIP/23/9 presented two different options for the Committee's consideration. It supported option B.

242. The Delegation of Brazil referred to document CDIP/23/9, and believed that option B, the webinar platform, would be the best option. However, it would not stand in the way of a consensus.

243. The Delegation of China stated that it was important to attract interested participants and produce substantive effects. Through the comparison of the two options, option B took into account the disparities in languages and time zones and if an online seminar was to be convened in a particular region, it would be more feasible. It suggested, when implementing option B, to give full consideration to the languages of the agenda items, the time zones and a friendly user interface, in order to ensure more Member States engaged in the webinar. It recalled its openness to any decisions by the CDIP with regard to the possible options.

244. The Delegation of Guatemala, speaking in its national capacity, believed that option B, with either live or recorded presentations of experts in the area of technical assistance, would allow the Members to participate fully. The exchange of experiences was likely to raise the level of debate. It also emphasized the aspects of language and the time zones as it differed considerably from the European region.

245. The Delegation of the United States of America stated that it would not stand in the way of a consensus and highlighted the value of holding regional webinars on specific topics with an opportunity to ask questions. It believed that the webinars would be able to provide participants with useful information, which could be recorded and reviewed later. The interactive components of the webinars could provide an opportunity for discussion and sharing of ideas and experiences as envisioned by item 1b of the six-point proposal on technical assistance. It referred to the work of the US Patent and Trademark Office, which extensively utilized webinars and other programs with the remote engagement component in addition to live, in person, technical assistance and capacity building programs. For example, in fiscal year 2018, the US Global Intellectual Property Academy presented thirty-two programs with a distance learning or remote engagement component. This included webinars on all areas of IP education for a variety of business

audiences, including SMEs. The US Global Intellectual Property Academy also continued a quarterly webinar initiative to provide IP education to small businesses that received grants from the US Small Business Administration. It expressed its interest in hearing from other Member States that had not spoken yet on what type of platform better suited their needs.

246. The Delegation of Japan was in favor of option B according to the information in paragraph 13 of the document CDIP/23/9. Option B had financial advantage because the installation and the running costs of a webinar platform for the initial trial period of six months were lower than that of a discussion forum. Moreover, a presentation by an expert would be available on webinar platform. That allowed Member States to share their experience and use information about tools and technology of technical assistance more efficiently. Therefore, it preferred the webinar platform for the web forum on technical assistance.

247. The Delegation of Canada, speaking in its national capacity, recognized the potential advantage of the discussion format under option A. However, it believed that there could be some impact on the usefulness of the discussion forum since there would be no simultaneous interpretation of the contributions by participants. The language differences could stop countries from communicating effectively. Member States should be able to communicate easily and effectively between people with different languages. It considered that option B did respond better to the needs of Members. The webinars could be based on different regions and the videos would remain accessible to all Members States subsequent to their presentation. It enquired about the translation of tapes and if the webinars could be translated, in order to reach a larger number of Members. It also recalled the importance of proposals from the beneficiaries and the way in which the forum was used.

248. The Secretariat (Mr. Baloch) concluded that a majority of delegations preferred option B. From that point of view, it was possible to proceed with its implementation. It was important to establish that personnel resources were required before starting its implementation. It could be possible to come back with an evaluation by May 2020. In that regard, it would require two to three months for the implementation to start, and then the six-month trial period. Concerning the translation, the webinar would be specifically for a language and at that stage, there was no certainty if it would be possible to translate the entire content of the presentation and comments in the discussions into other languages.

249. The Committee took note of the presentation and requested the Secretariat to implement the webinar platform, option B, for the initial period of six months, and provide a report at its 25<sup>th</sup> session for further consideration.

## **AGENDA ITEM 9: INTELLECTUAL PROPERTY AND DEVELOPMENT**

### IP and Development in the Digital Environment – Presentation by the Secretariat<sup>1</sup>

250. The Chair invited the Secretariat to initiate the presentation.

251. The Secretariat (Mr. Takagi) explained that the structure of the presentation on the topic “IP and Development in the Digital Environment” was broad. Therefore, the presentation was divided into eight sub-items, each one involving a short presentation. The list of eight topics covered the proposal by Member States (document CDIP/21/8 Rev.) because those domains had been identified and mentioned in previous interventions by delegations. The sequence of presentations was arbitrary without any order or priority. The delegations had referred to specific terms such as AI, robotics, big data, 3D printing, Internet of Things (IoT), industry revolution, or

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<sup>1</sup> The Secretariat presentation on IP and Development in the Digital Environment is available in pdf format at: [https://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=438533](https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=438533)

industry 4.0. All of those new technologies and new trends were observed in industry, innovation, and creative industries. Such trends represented what was happening in the digital environment. However, it was underscored that any changes in the area of IP and innovation in connection with the digital environment had already happened a long time ago. Automation and digitization of IP data were considered as part of the important tasks that IP offices were supposed to undertake to enhance the services provided to end users of the IP system. Those were the challenges that Member States identified and discussed in relation to the access to technology or knowledge in a digital environment. The implication of IP in a digital environment involved the Information Communication Technologies (ICT), legal aspects, as well as administrative and policy aspects. Therefore, the topics were not to be limited to ICT or technological aspects. For each of the topics, the first slide mentioned the challenges, and the second slide was on WIPO's response to such challenges. Member States had accepted and approved some of those responses in the course of implementation of program activities. In previous weeks, the Program and Budget Committee comprised a number of activities discussed as a continuation of the existing program activities in response to those digital environment challenges.

252. The Secretariat (Mr. Aleman) referred to the case of patents and presented two general reflections on the subject. The first observation was how the patent system could have an impact in the advances of new technologies, for example, in the case of AI. The main point focused on the role that patents played in areas that were the core of technological developments of AI, or those that consisted mainly in an outcome related to the use of that AI. For example, patentability of software or patentability of algorithms and other related inventions were areas in which, if patents were available, they played without any doubt a role in promoting the progress of an innovation in the area of AI. The same would apply to other emerging technologies like the case of blockchain. Another point to consider was the impact of those developments on the patent system. For example, in the case of patents, how a new area of technology and a new era of fast development, as is the case of AI, should face challenges like the types of claims construction that was acceptable or not. Moreover, the use of new expressions that came with development under a scope of rights that went beyond the real contribution of the inventor in the specific field, and challenges related to claims construction in those new technologies were the challenges that the patent system faced. Furthermore, in the area of inventions, particularly in the area of inventions that were directly made by AI machines, the discussion was focused on whether a nonhuman could be considered an inventor from the patent perspective. The challenges also involved multilateral treaties like the Paris Convention, and its reference to human contribution as a condition for somebody to be considered an inventor. And, most importantly, the principle of the patent system conceived as a mechanism to incentivize innovation, the challenge was that the machines did not require that kind of incentive. In the area of requirements for patentability, many Patent offices expressed that the challenges faced in the analysis of patentability in the area of AI or in the area of blockchain were not of a different nature of the challenges they faced in other areas. The latest *Technology Trends* report published by WIPO established that 60,000 family patent applications were filed in 2017 adding to a very impressive number of patent applications filed worldwide in that particular area, demonstrating that from the inventor's perspective, patents played a very important role as a mechanism to protect the developments taking place in that area. Patents played a role to promote innovation in that specific area. A graph was displayed, in which it was showcased that there were challenges related to the geographical distribution of many of those developments. For example, how robotics-related inventions came from very specific jurisdictions while in another part of the world there was a challenge. To address those challenges, a background document on patents and emerging technologies was prepared and it would be submitted at the 30<sup>th</sup> session of SCP. Those challenges represented an occasion to clarify concepts about all those new technologies and the role that patents should play in that area. Another example was the Inventor Assistance program, which addressed to help inventors from developing countries. Discussions in Geneva included the subject on how that program could consider the challenges of the fourth industrial

revolution in order to assure that the program was improved and able to consider not only traditional inventions but also developments in the area of new technologies taking place in developing countries.

253. The Delegation of the United Kingdom referred to the report published by WIPO on the *Technology Trends* in AI, which provided an overview of the AI patent landscape across the world and investigated the past and current trends in that rapidly advancing area of technology. It commended the Report and mentioned that the UK IP office had decided to develop a similar report. Its report sought to take a closer look at patenting activity within the UK's AI sector, to provide insights into the leading UK-based applicants in the field, the location and extent of their future markets, as well as attempting to identify specific strengths within the UK's AI sector. The UK Government estimated to add 630 billion pounds to the UK economy by 2035. AI was considered as one of the big challenges forming the UK Government's industrial strategy. The strategy aimed to boost the productivity and earning power of people across the UK and to increase the level of investment in research and development from 1.7 per cent to 2.4 per cent of GDP by 2027. Those actions were combined with the new international research and innovation strategy that IRIS had launched on May 14. IRIS committed to collaborate with institutions from developing and developed countries alike to meet shared objectives and drive growth. The findings of that study would feed the industrial strategy to boost the development of AI in the UK. The study confirmed rapid growth of the area, both in terms in value and in terms of patenting activities in the UK and worldwide. The results were published during the conference titled "AI: Decoding IP" jointly organized by the UK and WIPO on June 18 and 19 in London.

254. The Delegation of Japan shared the experiences of its Patent office, which created and published case examples on AI-related technologies. Those cases aimed at helping a clear understanding of the determination in examination from the viewpoint of the description requirement and inventive step. The Patent office also published examination guidelines pertinent to AI-related technologies. Furthermore, it established a new cross sectional classification of AI-related technologies in 2016 to enhance the search efficiency of patent documents relating to AI technologies. This made it possible to correct and analyze patent documents of AI-related technologies comprehensively.

255. The Delegation of South Africa referred to the statistics on AI, and inquired about the lack of data from Africa. It deemed appropriate to know if a subsequent analysis was performed to understand the implications for a developing country compared to those that filed first, and concerning any subsequent national phase filings.

256. The Secretariat (Mr. Takagi) referred to the question made by the Delegation of South Africa. In that regard, it considered useful to look at the geographical distribution of global patents filed in the area of AI. The research comprised 340,000 inventions filed in all patent applications since the 1960s. It stated that the implication was that South Africa and other countries with similar situations presented a technological and digital divide, particularly exacerbated by recent very rapid changes in innovation in this area of AI, which required a very high level of skillsets to use deep learning and machine learning. It was important to highlight innovation in the field of AI in those countries where patent filing, scientific journals and publications were not really in a large number.

257. The Secretariat (Mr. Aleman) noted that in terms of analysis of patents, the challenges faced were the same that with other technologies, whereas from the patent examiner point of view, the access to available information and the training needed to conduct examinations in sophisticated areas of intensive knowledge was certainly a challenge.

258. The Secretariat (Mr. Höpperger) mentioned the challenges faced by the brands and designs sector. The work undertaken by WIPO showed that investment in brands and designs

usually outpaced and exceeded investments in research and development. In addition, middle-income countries invested more capital in the development of brands and designs than high-income countries when they found themselves at the stage of development. Concerning the challenges in the face of the transition to digital environment, first, it was important to define that brands were basically vectors, means and tools of communication that connected producers and the providers of goods and services with consumers. There was an important change in how those vectors worked against the most recent developments in the digital environment. New communications channels increased the digital interaction, whereas traditionally the interaction between the providers of goods and services with consumers was directed “one way” and largely dominated by few providers using conservative means of communication. There was a much more interactive environment in that field, and that had important consequences for brands and designs. These consequences translated into a need to address questions surrounding the protection of nontraditional trademarks, which were new forms of trademarks that were enabled by digital technology, in particular, nonvisible signs. There was also the question of how to protect brands in the Domain Name System, which enabled consumers and users of the Internet to navigate the Internet and to find their way around. An important factor that was experienced was how brands were being used in social media. It reflected that the traditional and conservative approach of a one-way communication between providers and consumers was being replaced by a much more interactive, multi-party way of communications where Internet content was generated not only by the providers of brands but also by consumers and users of the web. There were also concerns about how country names could be protected in the Domain Name System against unauthorized registration, users domain names, delegation domain names or even top-level domains. There were a number of very specific challenges that were being posed in view of the new digital environment that concerned brands, namely trademarks and geographical indications. There were new forms of designs, in particular new technology designs that had to address the development of an ongoing digitalization, in particular, for an ongoing transition from hardware design to digital interfaces. Traditional industrial design was conceived to describe or circumscribe the form and the aesthetic appearance of an object and to combine that aesthetic appearance with certain functional features. Nowadays, that had changed to very much graphic user interfaces that had taken over many of those functions that were originally catered to by hardware design. For example, a mobile phone or a smartphone was no longer just a smartphone that was used to have phone conversations. It is a calculator, an Internet browser, a camera, a video camera, and all applications that someone could download on a smartphone would turn the device into a new apparatus. Traditionally all those different apparatuses would have had different industrial designs, but at that time everything was being dealt with under a certain type of graphic user interface design which, in turn, posed certain questions as to the protection of innovative creations in the area. The response to those challenges, the actions that could assist Member States in addressing them, were as follows. First, there was a need to constantly have under review the regulatory framework that supported Member States to approach those changes. A concrete example looking at the Trademark Law Treaty of 1994 and the Singapore Treaty of 2006. The Trademark Law Treaty of 1994 had a clause that said that Patent offices have to accept trademark applications that were being presented in writing on paper. And that was back in 1994 when Internet was hardly heard of and email did not exist. But that changed very rapidly, and at that time the most common way to file and accept trademark applications was no longer in writing on paper but in one or the other electronic forms. The Singapore Treaty concluded in 2006 already addressed that issue and changed it. There were other normative activities underway, such as, for example, the Draft Design Law Treaty or some soft law outcomes that had been agreed by the Standing Committee of Trademarks (SCT) that addressed certain of those challenges, such as, for example, the areas of convergence and recommendations concerning the representation of nontraditional trademarks. Second, the Secretariat also provided assistance for very concrete projects that used digital technologies in brands and designs, and that became more and more important bearing in mind that there were, for example, 43 million active trademark registrations around the world, and in 2017 alone trademark offices of WIPO Member States had received 12.4 million of

those applications. Searching existing trademarks or new applications had become more and more difficult to do manually or almost impossible. And last but not least, that led to assistance in the modernization of trademark and design administrations, where that was needed, in order to help Member States to meet those challenges, which grew every year.

259. The Secretariat (Ms. Lung) mentioned that copyright was also an area evolving by the changes triggered by the growth of Internet digitization and the increasingly globalized digital market. One of the main challenges observed was the way protected content, books, films, music, any other kind of protected work, was created, produced, distributed and exploited, but also the emergence of new actors in this landscape and the adaptation to this of the existing actors. The main questions were how to ensure that developing countries and LDCs could access and effectively participate in these global digital markets, and create or update a more conducive infrastructure. That meant working with copyright offices, and copyright management organizations to create an effective architecture that facilitated developing and LDCs to embrace those digital challenges. In the area of copyright and related rights in coordination with other sectors in the Organization, WIPO was focusing on the legal tools. Eight treaties were actively administrated by WIPO and the four latest ones addressed, in one way or another, challenges posed by the digital environment. The WIPO Copyright Treaty and the WIPO Performances and Phonogram Treaties, the so-called Internet Treaties adopted in 1996, entered into force in 2002 and embraced certain new rights and obligations for Member States to address elements of the digital agenda. The Beijing Treaty, which had not entered into force yet, presented a similar structure to the precedent ones, WCT and WPPT, and aimed at the protection of audiovisual performances. The Marrakesh Treaty, with 58 Members, addressed some of the limitations, expectations and flexibilities of the digital environment. There was also a focus on the provision of legislative advice by helping the Member States to align their national laws and national frameworks to these treaties, taking into account the social, economic, cultural needs of these developing and LDCs. Another important aspect was the modernization of the infrastructure of copyright offices and collective management organizations by providing adequate tools, including data management systems, or the provision of advice in that area, to permit the effective use of the copyright system for the economic and social development of countries. That included solutions like WIPO Connect. Some Member States were engaged in the Standing Committee on Copyright and Related Rights (SCCR), in the area of digital environment under a topic called Analysis of Copyright in the Digital Environment. One of the first mandates given by Member States was the development of a high standard analysis in certain sectors of copyright, starting with the music sector. There was an expectation to provide more information to the Committee about how the music market, including the digital one, was performing today and the kind of challenges it should address to facilitate the participation or the inclusion of all in these international developments. The importance of a public-private-partnership initiative should embrace these digital challenges.

260. The Secretariat (Mr. Cuntz) referred to the work undertaken by the Economics and Statistics Division in the area of the digital economy. The Economics and Statistics Division provided the empirical evidence and factual background that aimed to inform the next generation of IP and related policies. In line with what had just been presented on the copyright sector, the Economics and Statistics Division saw a lot of new actors and innovation, which was often a good thing from an economist's point of view. New forms of consumption transformed the creative industries, and competition levels and bargaining positions presented changes, and so did the pressures in jurisdictions to reform copyright. The key questions which were guiding the work of the research in the economic area were as follows: The first was how digitization affected the total supply of works and their quality from a society's perspective. The second one was the variety and availability of works affected. The third was how the different sales channels co-performed, and what were the revenue outcomes from experimentation with new business models. As a starting point, it was useful to refine the concept of digitization, and more specifically on what were the sectors and effects that represented an interest. For instance,

sales effects from digital music streaming or the creation of online users and how subscribing to more than one digital service would affect the levels of competition when users start subscribing to more than one digital service in audiovisuals online. The example also showed that the bundle of policies would need to address some of those challenges. From the creators' point of view, the question was whether the global reach of platforms could create an entry opportunity for some, in particular for talents from developing economies, or super stars would become even more dominant when much of the distribution was based on globally operating digital services. Online platforms had a pivotal role in how that would play out in creative industries, but it was also a concern in other industries and with regard to the new invention and innovation. Some argued that the printing technology had a potential for reassuring manufacturing capacities, that robotics and automation could replace some of our human workforce. In this way, new digital technology posed a threat to the export of competitiveness of developing economies. However, others argued that robotics and automation also augmented and improved human capabilities, increasing productivity of workers and freeing up some resources. Digitization also generated gains from trading services globally and it could help the inclusion of innovative talent for more remote places, talent that was previously left out. Therefore, in the context of digitization, the attention of WIPO's research focused on whether or not developing economies managed to acquire new technologies, and how IP could enable that. The aim was to understand the key factors that made digital innovation systems thrive, allowing developing economies to take advantage of technology opportunities. There was also a need to identify the set of skills that developing economies would need to invest in to make their workforces future proof. The World Intellectual Property Report was one of the flagship reports of WIPO that analyzed how digital technologies would shape the global geography of innovation. All of those items were research priorities in the Economics and Statistics Division with respect to the economic effects of digitization.

261. The Secretariat (Mr. Takagi) referred to the topic on IP office administration. The first challenge identified was the lack of digital IP data, and that was the predominate situation in developing and LDCs. Many countries were still using the paper-based or image databased systems of information and communications technologies to process a number of patent, trademark and industrial design applications, which caused a lot of delay and made the pendency period longer. Those issues and challenges were identified and addressed by WIPO through a number of solutions provided for the IP offices of Member States. There was no standard solution, each office had a different solution. In that regard, a special program was introduced to help and assist the developing countries' IP offices in scanning the IP data by using WIPO OCR, the optical character recognition software, which allowed the IP offices to convert paper documents into a machine-readable digital IP data. That was a starting point of digital transformation of many IP offices. On the workflow analysis and optimization, the project dealt with the changes in business and workflow model to optimize the benefits coming from the automation and modernization of the procedures, the availability of digital IP data, and the open possibility for many IP offices to interact with other IP offices and with the International Bureau of WIPO. That was one of the first steps required for the networking among the IP offices and International Bureau of WIPO. In addition to IP offices, the matter also addressed the demands from the IP-related institutions, such as public institutions, to promote innovation and creative activities. That was the result of one of the DA Recommendations. Since the adoption of the DA, the Technology Innovation Support Centers (TISCs) had been established. That year commemorated the ten-year anniversary of the TISC project. A booklet including the achievements and statistical data of those over seven hundred TISC centers all over the world was distributed. The availability of ICT systems that were useful to IP offices and IP related institutions was assessed and that resulted in the development of WIPO's software in the area of industrial property, the IPAS software or IPAS suite, and in the copyright collective management area the WIPO Connect software. The software was free of charge and the systems were provided to a large number of IP offices. In the case of the IPAS, eighty countries contributed to the digital transformation of IP office administration. The IP data was received in digital form in

order to publish the national IP data in global databases. Referring to AI, WIPO was considered as the frontrunner among the UN organizations in developing AI-enabled tools, such as WIPO Translate, which was a machine translation software, used by more than 10 UN agencies. In addition, an AI-assisted image search tool of figurative elements of trademarks had been launched. WIPO was firmly committed to distributing and making available free WIPO AI tools to the IP offices of its Member States. All of these activities were supported by WIPO. There was also an initiative to codify and establish the digital standards of data. The project started to discuss the standards of three-dimensional representation of the industrial design, patents and blockchain technologies exploration with blockchain in the context of intellectual property.

262. The Secretariat (Ms. Tedla Desta) referred to the topic on human resources development and capacity building undertaken by the WIPO Academy. The four main programs of the WIPO Academy were the Professional Development Program that focused on IP officials, Academic Institutions Program, which focused on IP higher education and colloquia for teachers, the Summer School Program and the distance learning program, which focused on general, specialized and blended learning courses. All of the courses were designed to exploit the digital environment to facilitate IP training and to respond to the expressed needs of WIPO's Member States. The Academy's training programs covered a wide range of key issues for capacity building and for Member States from the basic to advanced levels and from theoretical to applied and policy level courses. They also catered to specific groups from fields of interest as they interfaced with IP, including life scientists, ministries of education, in particular educators and curricula developers of the young technology transfer offices, TISCs, SMEs, rights-holders and members of the judiciary. The challenges faced while delivering capacity-building activities to WIPO Member States were mainly linked to the effects of the rapid evolution of the digital environment on IP law, on normative law, or soft law, or developments resulting in new rights and the undeniable change in practices. To keep up with such rapid developments, the Academy had to consistently update, change and redesign its training program, content and audiences. It was also important to note that there was an acute shortage of cases or practical best practices, particularly from developing countries. The statistics indicated that the Asia and Pacific region and Latin America and Caribbean regions scored high numbers of participants. WIPO's current and future assistance to WIPO Member States involved twenty years in which the Academy had contributed to reducing the gap of IP knowledge among Member States from which it was established. It was able to reach over half a million people, in which fifty per cent came from academia, IP offices and government staff. In 2018 alone, the WIPO Academy had provided over 10,000 scholarships to IP offices, government staff and TISCs who requested to participate in the digitally enhanced distance learning courses. Strategic management decisions were made also for the advanced courses to offer them with a reduced fee to facilitate access from the private sector in developing countries. However, the demand of IP knowledge both from the public sector and from the private sector was increasing at a much rapid rate. For instance, in 2018, the WIPO Academy had received an all-time high of 90,000 participants who asked to register and take the distance learning courses. To cope with the rapid increase in demand, a two-tier strategy had been developed to decentralize the administration, the teaching and offering of the courses from local IP office platforms or universities or consortium of universities. Creating localized IP teaching and access increased the number of participants coming from countries who benefitted from the digital access to the courses. The WIPO Academy was also a global leader in IP education, offering training courses in more than ten languages, and ensuring its relevance and competitiveness in its content and its pedagogical use of digital technology. Over 87 per cent of the participants that took the digitally enhanced training programs were from developing countries, and 50 per cent of them were between the ages of 18 and 34. Supporting a young alumni community through services such as digital certificates, digital transcripts, digital access and audios was very important to maintain their development in the IP field. In that area, for example, the first WIPO LinkedIn social group was created and the alumni community followed it. The Academy is also serving other WIPO sectors as in-house provider of digital solutions for training in their specific aim to reach a large target audience. Some of the new

areas of support to Member States using digital environment included a focused approach to the gender gap of knowledge, especially in IP management areas, responding to requests from Member States for IP training using the digital environment to specific industries, such as the export industry, and providing IP knowledge and customizable digital content for teachers and curricula setters, as well as further developing in the spirit of the Marrakech Treaty, of digital technologies to provide more courses for the visually impaired.

263. The Secretariat (Mr. Dillon) stated that the challenges faced by the IP system in relation to enforcement were evident to all as consumers. The digitalization of entertainment in the past forty years had really advanced. The performance of copyright works through broadcasting passed from the radio to the Internet, and the Internet now involved the transfer of television and music through streaming, which involved the risk of illegal services in these departments. In addition, the growth of e-commerce empowered counterfeiting on a global scale because now it was possible to order the counterfeited product online. This clash of the digitization of copyright works and the Internet resulted in an explosion of digital piracy. The unfortunate coincidence of e-commerce with a very efficient delivery network produced an increase of cross-border counterfeiting, something which the research published by the OECD and the EU IP office suggested had increased. The difficulties that the phenomenon created for enforcement were on the scale of the phenomenon, the anonymity of the Internet, and the disaggregation of the elements of infringement across borders. People could be in different countries, the technical infrastructure might be in another country, the methods of payment on the Internet, which was an important aspect of the e-commerce and of the illegal e-commerce, which might allow money to flow in yet another country. Where law enforcement authorities had national jurisdictions, this multinational cross border phenomenon was going to create problems in the way defendants were identified, the way a case could be brought to court, and defining the civil or criminal nature of the proceedings. Furthermore, there was the element of legal uncertainty created by the role of intermediaries. For other intermediaries on the Internet, it was a work that needed more time to run, and as long as that regime was still in formation it was going to be a further factor of uncertainty, which made it harder for prosecutors, and in particular police officers, to do their jobs. The legal framework in many countries did not respond to those new digital realities. WIPO acted quickly in this field with the WIPO Internet Treaties of 1996, which contained a general obligation on parties to have effective enforcement procedures. In that regard, developing countries had to face numerous problems concerning the enforcement procedures. For example, capacity constraints, which meant having enough resources both human and financial, knowing if there were enough people adequately trained and with the appropriate technical infrastructure to pursue those investigations and actions. The principal contribution of WIPO to the enforcement position was a forum for discussion. The Advisory Committee on Enforcement (ACE) met every year, that year from September 2 to September 4, at WIPO. In that Committee, Member States exchanged their ideas and practices to create a marketplace of ideas. ACE had no normative function. It was absolutely a forum for the exchange of information. It remained a matter for Member States to decide what use, if any, they made of it. Referring to technical assistance, the attempt was to assist Member States to understand the phenomenon of digital piracy and counterfeiting. Information was provided to Member States on the wider context of enforcement. For instance, anti-money laundering legislation, which had been used successfully in several jurisdictions to take the money off counterfeiters and pirates. In the context of ACE, a comprehensive study of enforcement measures in the digital environment, particularly in relation to copyright infringement, was being prepared. The report would provide a view on what was available in terms of enforcement in that context. To conclude, another information-sharing project was the Building Respect for IP Database Project, which received a great deal of assistance from some Member States active in the field of producing information relating to pirate sites. The flow of money was an important element in enforcement, specifically in relation to copyright infringing websites. In those sites, where millions of people got free copies of valuable protected works, advertising was a major form of support. In the world of digital advertising, it was difficult for intermediaries to control the placement of their advertisements. There were

consultations with the Member States that were active in such field to create a secure platform where countries could operate information-sharing regimes for the advertising sector and share their information with the rest of the world. In the United Kingdom, the police IP crime unit of the City of London police maintained a list of pirate websites, which was verified on the basis of evidence provided by right-holders. The list was secured and private. Thus, only the advertisers who were authorized could access that information and feed it into their own algorithmic programmatic advertising to make sure that advertisements did not appear on illegal sites. The WIPO project would allow Member States to share information with the global advertising industry. The service was expected to be launched in the upcoming autumn. That was an example of the work undertaken under the rubric of coordination. The system was voluntary and extended an invitation to any country interested to participate.

264. The Secretariat (Mr. Bontekoe) focused on the topic on IP and the judiciary. It referred to the challenges already mentioned by other colleagues, faced by the international IP system as a result of the transition to the digital environment. WIPO addressed related questions arising from the fact that those emerging issues also posed challenges for the judiciary, an important component of the framework governing IP rights. At the global level, national judiciaries were often on the front line of new questions on IP for which there were no legislative answers yet, nor framework available. Those questions were often complex and multi-faceted, and involved transnational digital elements in a number of cases, or they would involve new actors, such as the Internet intermediaries. National judiciaries were considering how to strengthen their procedures to adapt to those new types of disputes. In that regard, WIPO had received an increasing number of requests from Member States for engagement with and support to national judiciaries as they faced those new realities. In response, the DG had announced at the 2017 Assemblies a new initiative in the field of judicial administration of IP. A WIPO Judicial Institute was established to collaborate closely and coordinate with all relevant WIPO sectors in building an organization-wide approach to judicial activities. The Judicial Institute combined WIPO's long standing traditional judicial capacity building activities with a broader and more systematic approach to engage with national judiciaries. An Advisory Board of judges who represented broad geographical and technical coverage guided the work of the Organization. WIPO's work with the judiciary was conceived and developed depending on the distinct circumstances of each country, including national legal traditions, economic context and priorities. There were three primary pillars to approach in that regard, namely: (i) exchange of information, (ii) strengthening of judicial capacity building, and (iii) research on judicial systems and decisions on IP. On the exchange of information, a central element of WIPO's role was the provision of a truly global platform to judges in the form of the Annual Intellectual Property Judges Forum to facilitate the exchange of information and practices among national judiciaries on issues of common concern. It also sought to develop a network of judicial colleagues to use as a resource in staying abreast of international developments. The inaugural edition of the Forum was held in November 2018 in Geneva, and attracted 120 judges from 64 different countries from across all regions of WIPO's membership. The next IP Judges Forum would be held in Geneva from November 13 to 15, 2019. In the area of capacity building, WIPO provided various activities, such as for example, the traditional continuing judicial educational programs on IP as well as *ad hoc* topic-specific judicial colloquial requests from Member States. The WIPO Master Class on IP adjudication brought together a small group of experienced IP judges to discuss practical IP adjudication questions. In 2018, WIPO held the first Master Class in collaboration with the Supreme People's Court of China in Beijing with the participation of 31 judges from 15 countries. WIPO would be conducting the next Master Class in collaboration with the US Court of Appeals for the Federal Circuit in Washington D.C. in the following September. Furthermore, WIPO was working to build a global, open and free online information resource that would provide access to judicial decisions on IP. Work on that database project had been launched in collaboration with a number of pilot judiciaries, primarily in Latin America, with the intention to expand its coverage once the database was ready for public release. That resource would rely upon strong cooperation from national courts in order to select and share the leading judgments in each jurisdiction. WIPO also

contributed to increasing the availability of information about judicial decisions in the field of IP. That included collecting empirical data on IP litigation structures, the volume of IP cases and the relationship between IP applications and disputes before courts. The World Intellectual Property Indicators Report for 2018 included an overview of patent litigation systems across a few jurisdictions.

265. The Secretariat (Mr. Takagi) concluded the Secretariat's presentation on the topic "IP and Development in the Digital Environment". The floor was open for Member State contributions.

266. The Delegation of the Russian Federation highlighted the fact the Organization took up those complex issues and adapted its activities on the basis of the emerging issues in the digital environment. The question of digitalization was at the heart of the global community. During the International Conference on IP and Development held on May 20, 2019, many participants raised the issue of the digital environment and its impact on IP. The topic of digital environment was of interest to all Member States. The Russian Federation was actively trying to adopt mechanisms related to AI and other technologies in order to best optimize the work of the IP offices. The question of AI was used for patent filings and patent examinations. That had enabled an improvement in research, examinations and development to use AI to better assess the patent content, particularly in a digital format, and to supply a whole series of services in the area of IP. For example, for computer program databases using in part blockchain technology and the blockchain protocol. It highlighted the dialogue on digitization and referred to the second Global Conference on Digital Transformation, held in Moscow, in April 2019. The Conference had more than 893 participants from 20 countries in the world. Russian experts presented their studies and conclusions on the possibilities offered by digitization and the various principles of introducing digital technology in IP offices. A presentation on the International Conference on Digital Transformation was displayed. The Delegation underlined the fact that the subject of digitization was a specific feature in an international environment. The role that the international dialogue played in exchanging information data on practices needed to be emphasized. It deemed essential to use the potential offered by WIPO as a multilateral platform and thus benefit from WIPO's experience in implementing projects and also take advantage of the use of technology in a centralized way. The use of digital tools in IP offices would be a great step forward and would enable to solve problems related to the effective use of IP and for the protection of IP rights. Referring to the draft decision, prepared by the Russian Federation (CDIP/23/16), it stated that it would enable to strengthen the digital element in the work. Consultations were held with regional groups and interested governments. The Delegation displayed a presentation of a satellite program of Earth exploration to give an example of the use of AI in that context.

267. The representative of the Russian Space Station (RSS) made a presentation about a data processing system, using satellite collected data for legal protections, called Territory<sup>2</sup>. The goal of the project was to develop a product that allowed automating the process of large remote sensing data systems for concrete uses. The project generated IP results. Furthermore, geographic information systems (GIS) were a very powerful system for collecting, handling and storing data, which also supported to meet those objectives and to focus on the end users so that they could make decisions based on algorithms and analyses using new fractal geography methodology. Various groups in different countries currently used that system. The representative of RSS qualified such satellite images as work intensive, considering that a single square kilometer would take five hours for a human to process such data. The main goal was to decrease man-hours and cutting costs for that type of work. Such tool could be used in various sectors. For example, in the construction sector fractal geography could be used to define relevant geographic data for a built area or from an agricultural area. In addition, satellite images in real time were used in forestry to identify potential forest fires. AI could be used for object detection in satellite imagery. That allowed various companies to make decisions which would otherwise have taken a significant amount of time. Those detection algorithms were swift and

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<sup>2</sup> The presentation by the Russian Delegation is available at: [https://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=449589](https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=449589)

cheaper. They were also neural and used in construction, mining industries and forest inventories. The platform received the data from Russian satellites, especially the resource piece Sputnik spacecraft. Then the data was fed into a database and distributed to stakeholders that used neural networks. There were nine databases to register documents and, afterwards, the Russian Agricultural Development Institution and the Construction Institution analyzed that information. Regarding the functioning of the algorithm, first, neural networks were used to transform that data into images. The neural networks used the sliding-window method. Then the image fragments were analyzed through eight different variants of the same image. Afterwards, those images comprised 180-degree rotation to identify potential conflicts between different outcomes and results. The Territory system was patented. The speaker developed on how the neural network worked by explaining that satellite images were analyzed using algorithms, fed into the data network, and then compared the initial snapshot with the algorithmic analysis. It allowed seeing if there was an overlap between the initial snapshot and the further work that was done. In that regard, the use of AI saved time. Using the system, it took three seconds to process the initial snapshot and to share it out over the neural networks. It also referred to a 3D modeling system, which allowed users to have 3D results. The representative of RSS stated that the algorithms were the patented elements as the know-how and patent information was primarily based on it. Thereafter, local governments, businesses and citizens used these tools. The business model focused on agriculture, forestry, the municipal administration, the banking sector, nature conservation and analysis of social and economic indicators of territory development. As for the capabilities of the platform, there was a connection between different data sources. It could be useful for automated analysis or decision-making algorithms. Thanks to that software and the neural network technologies, it was possible to put together algorithms, which helped to ensure legal protections for objects.

268. The Delegation of Brazil noted that the digital economy was growing quickly. It represented a major opportunity for economic development. Many studies showed that there was a positive correlation between digital technology, productivity and income per capita. The digital revolution, combined with balanced, inclusive, well-functioning and tailor-made IP policies, could usher in a new era of prosperity. The digital technologies also challenged conventional wisdom on IP both in terms of IP rights and business models. Thus, traditional models were being displaced by disruptive new approaches. It referred to the types of technologies and related challenges, such as national security and social challenges. It recalled that eight out of ten jobs lost were due to technological challenges. That was going to be an important challenge looking forward. In the past decade, the digital economy presented an exponential growth in size and importance in Brazil attested by an ascending curve in subscriptions, value-added, output and employment. Parallel to the growth in both salaries and demand of ICT goods and services, the Brazilian Government prioritized a sectorial approach of enhancing infrastructure, fostering the ICT industry, ensuring availability and affordability for low-income populations. In 2010, the Brazilian Government unveiled for the first time its National Digital Economy Strategy. The plan was structured around six pillars of actions with the central goal of achieving broadband coverage of 40 million households. After four years, there was a substantial increase in fixed and mobile broadband subscriptions. However, fixed broadband infrastructure and full mobile broadband coverage speed and quality remained a challenge. 3G and 4G reached only 3,827 out of 5,570 municipalities in 2014. In 2012 a Strategic Program for Software Information Technology Services was launched, which aimed at promoting startups, developing ICT skills, attracting R&D centers and enhancing the creation of software and technology ecosystems around key areas. Despite the advances, there were many improvements to be made in the development of infrastructure to connect households and businesses and the adjustment of the regulatory and institutional frameworks for the future of the digital economy. To address that problem, the current administration had undertaken a whole host of reforms to improve the business environment by drastically reducing red tape, opening the economy, increasing competition and strengthening the IP system. These measures established concrete targets to reach tangible outcomes before 2022. One of the targets was to improve Brazil's rank in the World Bank Doing

Business, as it ranked the 109<sup>th</sup> position. The objective was to rank amongst the top 50 by 2022. In order to do so, Brazil would reduce average import tariffs through trade deals or unilaterally by at least 50 per cent in four years. It mentioned that there was also an effective plan to end the IP backlog. The set of policies would contribute to enhance or to improve the digital economy in Brazil. These actions would ensure bottom-up innovation, especially in those fields with competitive advantage. Then, it referred to the successful case of a Brazilian company that was applying new technologies in the agricultural field. In that context, Brazil reached consensus as a major contributor to the world in the agro-industrial sector, in what was defined as Brazil Agriculture 4.0, smart farming or precision agriculture, the world's leading exporter of coffee, sugar, ethanol, orange juice, soybeans and animal proteins. Due to a combination of technology, innovation, entrepreneurship and environmental sustainability, Brazil became the world's main agriculture powerhouse. In that regard, Agrosmart was a Brazilian private company that developed cutting-edge technology, enabling farmers to use the power of data through its digital platform to make agriculture more productive, sustainable and resilient to climate change. Agrosmart resorted to big data and data science to provide specific solutions to multiple parts of the agriculture value chain. For instance, the company combined agronomic knowledge to inform the crop needs in real-time and to generate recommendations based on the soil and climate conditions. Since the information was in real-time, farmers could use their cell phones to consult such information provided by the company's digital platform. The company had recently decided to expand into the IP field related to big data, which was a very interesting feature. The diagnosis was that the world population would reach over 9 billion people until 2050, demanding an increase of 70 per cent in food production. Climate change was affecting farmers' ability to make decisions, requiring adaptation. Big data and data science could be a powerful tool to help overcome those challenges. A 23-year-old girl had founded Agrosmart in 2014 as a startup, and nowadays, the company's technology was monitoring 50,000 hectares in nine of Brazil's states. It provided its technology in many Latin American countries, the United States, Israel, and just recently in Kenya.

269. The Delegation of Romania, speaking in its national capacity, referred to the WIPO Academy's presentation. It advocated for IP education for youth since 2012 and the WIPO Academy was a partner in the implementation of Romania's national IP education strategy using effectively the digital environment and making the next steps in customizing WIPO Academy's course and face-to-face programs. That allowed creating a link with the Ministry of Education and to train over 80 teachers in the last couple of years. Through Order 3442, from March 2015, Romania had charted the way and served as an example to other countries in the region and internationally for a structured approach to IP education. The order outlined the introduction of IP education at high school level through optional IP curricula, which also involved a teacher's training. The WIPO Academy, in collaboration with the Romanian Copyright Office and the Romanian Patent Office, as well as WIPO's Transition and Developed Countries department, worked together on introducing IP education curricula for universities and high school teachers. Furthermore, two seminars were held in 2016 and 2018 to introduce a training on the WIPO Academy IP for youth and teachers, which focused on innovation and creativity using the general course on IP, which featured the digital concepts of IP. The educators had access to the learning courses and received scholarships for the advanced courses. It concluded by encouraging the work of the Academy and its plans for further support in the use of digital environment for capacity building activities.

270. The Delegation of the United States of America referred to the United States IP Framework as one of the strongest and most successful in the world, demonstrated by the millions of jobs and trillions of dollars that IP-intensive industries contributed to the U.S. GDP. Industries that relied on IP were an integral part of the U.S. technology inventions and creative works that had changed the world. Issues relating to the digital environment were a popular topic in international fora as governments grappled with the rapid technological changes that societies were experiencing. Thus, it was understandable to discuss IP and development in the digital

environment. New technologies often gave rise to new developments in IP laws and policies, such as the one experienced in the copyright area from the printing press to player pianos, from Betamax players to BitTorrent. While it was easy to look backwards and see how emerging technologies gave rise to key IP laws and doctrines, the topic provided today the opportunity to have a conversation about how countries were adapting to new and emerging technologies and business models. From the experience of the USPTO, it was critically important that IP offices in all countries considered how to adapt and use digital technologies in IP office operations, training, policymaking and capacity building. It was pleased to share some of the experiences on how the United States Patent and Trademark Office worked to adapt and use digital technologies in its IP office operations. For instance, AI was one of the USPTO's top priorities, and it was actively exploring ways to adapt AI and machine learning to improve operational efficiency. Enhancing patent search was one area in particular that expected AI to help both the Office and patent applicants. Moreover, the USPTO explored and developed a new cognitive assistant called "U" or "Unity" which leveraged AI and machine learning in a way that augmented the existing next generation patent tools. The tool intended to allow patent examiners to conduct search across patents, publications, non-patent literature and images. Also, new AI tools and techniques, such as robotic process automation, could generate smart office action templates which were automatically populated based on the interactions between examiner and applicant or applicant's representative. In the previous January, an all-day conference was hosted to discuss domestic and international IP policy considerations for AI. That conference was recorded and available for viewing on the USPTO website. One of the lessons learnt from the conference was that many IP offices, businesses, governments and other organizations were starting their own exploration into interesting and challenging questions pertaining to advancements in AI. For example, questions like whether AI would fundamentally change the legal concept of inventor or author or how AI could help in detecting counterfeit goods. To raise awareness, the U.S. Department of Commerce's Internet Policy Taskforce had produced a green paper in January 2017 entitled *Fostering the Advancement of the Internet of Things*. That paper presented some thoughts with respect to various types of IP: copyright, patents, trade secrets and trademarks as they related to the "Internet of things". Another U.S. Department of Commerce paper, the 2013 green paper on *Copyright Policy, Creativity and Innovation in the Digital Economy*, provided a comprehensive overview of the copyright issues raised by digital technology. The document was available on the USPTO website. The 2013 green paper devoted a chapter to ensuring an efficient online marketplace, it looked at examples of legal licensing options and noted some impediments to licensing for online distribution. These included the complexity of licensing in the online environment, in particular in the music licensing space, challenges with mapping old contracts to new uses and licensing across borders. Since then, the U.S. Department of Commerce organized several stakeholder-driven meetings to facilitate cross-industry dialogue on ways to promote an even more robust and collaborative digital online marketplace providing updates on various technologies and highlighting new initiatives. The topics that were discussed included voice recognition, AI, digital licensing, the role of identifiers and blockchain. The transcripts were also available at the USPTO website. Those were examples of the necessity of stakeholder engagement in discussions regarding IP in the digital environment. In conclusion, the Delegation stated that the U.S. Government was exploring new opportunities and challenges for the IP system that rose through innovations in digital and other emerging technologies.

271. The Delegation of Japan focused on the topic of brands and designs in the digital environment. In the field of trademarks and industrial design, Japan was conducting verification work for improving efficiency and quality of trademark and industrial design administration using AI. In 2018, the Japan Patent office validated its systems to verify possible uses for AI to conduct prior searches of figurative trademarks and design. Regarding IP or administration in the digital environment, Japan examined the possibility of using AI technologies in order to upgrade and streamline the operations of their Patent office. In April 2017, the Office formulated and published an action plan for using AI in order to streamline its operations. There were also some

pilot projects on the use of AI in telephone operation work and the digitization of paper applications. AI should contribute to improve the efficiency of offices' work.

272. The Delegation of the United Kingdom shared with the Committee the tools, research and experiences in various areas that the United Kingdom was ready to offer to other countries, in particular developing and LDCs. It referred to a project called Music 2025, which was a part of the UK drive for evidence-based policymaking. The UK IP office commissioned an Austrian University to prepare an independent research report on the infrastructure issues that appeared to hamper the fair and timely distribution of revenue from digital music platforms. Digital data was a problem for the music industry because of disconnections between the ways in which music could be created, disseminated and remunerated across digital platforms. Inaccurate data resulting from inefficiencies in the system could lead to non-attribution, a perception in part of the creative community in which income generated from digital music platforms would be unfairly distributed, and ultimately damaging the artists or creators. Streaming provided opportunities for consumers of creative content to access works from across the world. Improvements to the efficiencies of the current system of data management also provided opportunities for artists in developed and developing countries alike to be better remunerated and attributed for their creativity. The final report was expected to be launched in June during the UK - WIPO Conference on AI and IP. Key recommendations involved education and awareness, collaboration, interoperability, and governance. The project Music 2025 set out a roadmap to develop solutions that could be mirrored globally. It also referred to the online copyright infringement tracker, so-called OCI tracker, which was presented in detail at the ACE. Additionally, both Music 2025 and OCI tracker were available for all countries to be used to better understand their domestic markets and their interaction internationally. Turning to its IP office administration, the UK was of the view that digital technologies, including cutting-edge technologies, played an important role in the process of IP rights administration. The UK IP office currently had two key digital-focused programs that were running: the transformation program, and the IP futures program. The transformation program focused on providing digital service to customers, improving internal business processes and technology. That program provided an all rights together approach with a single platform that underpinned all IP rights that were managed. To support that change, there was a shift in the data model from an IP rights-centric view to a customer-centric view. Meanwhile, the IP future program focused around horizon scanning of emerging technologies and looked at opportunities for IP offices to exploit those technologies. It mentioned that there was a project implementing trademark, text and image search utilizing machine learning. That search capability would support pre-apply, apply and examination processes, as well as general search for the UK IP office under the transformational program. It considered having a good understanding of how to transform IP offices to meet customer demands of the 21<sup>st</sup> century. As an example, the UK IP office worked with the Brazilian Patent office to support their transformational agenda.

273. The Delegation of Croatia, speaking in its national capacity, referred to the struggles that Croatia faced related to education. In that regard, it commended the work of the WIPO Academy in the field, particularly in the essence of IP knowledge through the General Course on IP, DL - 101, and the accomplished results after the adoption of the platform of national language from 2014. The number of persons who finished that course and who got some knowledge about IP raised up to 43 per cent. Thus, it considered that the implementation of the platform had a huge impact on apprising the knowledge about that topic in Croatia. It was surprising that the usage of IP terminology in Croatian language became much closer to the citizens and entrepreneurs. It concluded by emphasizing that many entrepreneurs were benefiting from the DL – 101 course.

274. The Delegation of Australia recognized that sharing experiences on new and emerging technologies such as AI and big data had the potential to enhance and transform the work of IP offices. In April 2019, IP Australia in collaboration with Swinburne University of Technology and the University of Melbourne released for download TM Link, an international dataset where

similar trademarks from different countries were linked together based on common information, such as similar trademark phrases and applicant names. The intent of TM Link was to facilitate multiple levels of insight, including a broad overview of global trademark trends through a focus on the branding strategies of individual companies. IP Australia also used AI to improve the customer service experience, which included “Alex”, a virtual website trademark assistant, and the Australian trademark search, which used image-searching technology. Moreover, it highlighted that Australia was now investing in the patent area, along with previous projects, which focused on providing information tools for trademark applicants and innovators. It referred to the development of AI capabilities to support examiners through a patent auto-classification tool and an automated applicant, inventor and CPC searching tool as an example.

275. The Delegation of Canada, speaking in its national capacity, mentioned that the fast pace of technological change and transition to the digital environment presented unprecedented challenges for the global IP system, and it could be possible to take on those demands while maintaining a development-oriented perspective, and finding balanced solutions that benefitted and generated growth for everyone. In that regard, its intervention intended to focus on the Project Chargeback initiative along with a brief overview of the Canadian IP office’s recent milestones. First, it stated that the enforcement of IP rights in the digital environment raised particular challenges given the widespread availability of infringing goods on the web and the difficulty in ensuring accountability for infringers. Canada’s Project Chargeback was an innovative program to combat online sales of counterfeit and pirated goods run by the Canadian Antifraud Center. It considered the initiative as an appealing concept for countries that aimed to balance resources devoted to IP enforcement as it had the potential to yield meaningful results while requiring relatively low startup and running costs. The program in Canada costed 100,000 Canadian dollars or 70,000 US dollars yearly. The Chargeback Project operated through the collaboration of consumers, government, credit card companies, IP right-holders and banks. It relied on the worldwide Zero Tolerance Policy adopted by credit card companies, which required card issuing banks to refund cardholders that had unknowingly purchased counterfeit or pirated items. In terms of process, consumers had to file a complaint with their bank, which was then forwarded to the Canadian Antifraud Center. Then, Antifraud Center had to confirm, typically with the help of right-holders, that the goods were not authentic, the information provided to the victim was sent to the respective bank to initiate the chargeback process. The victims were instructed not to return the counterfeit merchandise to the sellers associated with the purchase in order to stop them from victimizing other individuals with the same items. A chargeback action could result in the termination of the merchant account used by the infringer’s website to process payments as well as fines from the credit institutions. Without the ability to process payments, the website eventually lost traffic, which helped to curb the online sale and distribution of counterfeit and pirated goods. Concerning the IP office administration, CIPO established a service strategy to ensure that the service was e-enabled, timely and accessible, offering new digital services that would improve the clients’ ability to search, apply for and manage their IP online. CIPO introduced more modern and flexible technologies to support the evolving needs of its clients. For example, the Trademarks Branch launched the Intellectual Property Document File Management System, which reduced its dependency on manual and paper-extensive processes. It also introduced a modernized online version of the Manual of Office Practice, which now featured advanced searching capabilities, improved printing, exporting options and a modern user interface. Furthermore, CIPO adopted long-term strategies towards the integration of technological advances within the office. It used certain AI-powered tools to support patent examinations and data analysis on IP trends in Canada. Specifically, CIPO examiners used translation tools and patent prior art search tools to assist them in conducting assessments and ensuring that only high-quality applications proceeded to registration. In addition, the economic research team used big data analytics to determine trends in IP filings across Canada. Pilot projects were being explored for an AI-driven public-facing chat bot procuring new patent search tools.

276. The Delegation of Chile highlighted the pilot project in WIPO IRIS and awaited the implementation of such initiative. The Industrial Property Office (INAPI) had started to implement different digital properties to modernize its functioning and now it had become a paperless office. In order to achieve this objective, new tools were available to digitize files. There was a complete electronic filing system and the office had an electronic signature. In addition, INAPI was the first public office in Chile to implement a system for working remotely, and that working option benefitted up to 75 per cent of officials. In addition, since 2018, INAPI worked with the Sciences and Physical Sciences Office of the University of Chile on figurative trademarks, using AI to carry out examinations of trademarks with images that looked at likenesses and emitted potential observations for the registration of new patent applications.

277. The Delegation of Uganda, speaking on behalf of the African Group, stated that the presentation by the Secretariat addressed current and future challenges faced by the IP system as a result of migration to the digital environment. The Group commended all the Member States who shared their national experiences on IP and digital development. One central element among all the topics presented by the Secretariat was that rapid technological development was happening amid sluggishness in changes to both IP law and policy both at the national, regional and the international level. The slow pace in IP rules-making posed significant challenges to IP rights-holders and IP offices in determining the nature of IP rights to be granted, as well as challenges to judiciaries in determining how to enforce the new rights in the digital environment. The public's interests to access IP products was also significantly disrupted with consequences ranging, in some cases, from rapid access to very minimal cost, and in other very limited access due to the costs involved as well as technical protection measures. This pointed to the need for the international community to expedite their efforts aimed at modernizing the international IP rules system to respond to current and future technological advances. The Group found of paramount significance the conclusion of negotiations on Copyright limitations and exceptions in the SCCR, and the extension of IP protection to digital sequencing in the IGC was a no brainer. Massive technological advancements were sweeping across a number of developed countries and some fast-advancing developing countries, disrupting all processes of production, service delivery, accounting, travel, et cetera. There was incontrovertible evidence of the expansion of the digital divide both within countries, such as the big e-commerce giants firms squeezing out SMEs, as well as between countries. Even between countries in one region, there was clear evidence of expansion of the digital divide. The expansion of the digital divide threatened to further expand benefits from the IP system for the developed North, at the expense of the developing South. This state of affairs meant that the international community had to work together to find long term solutions to address the digital divide to make the IP system work for all. Referring to the proposal by the Russian Federation (CDIP/23/16), the Group stated that it supported all initiatives aimed at building capacities of their IP institutions to operate in the digital environment.

278. The Chair concluded the discussion on this topic, given that there were no more comments. Delegations expressed appreciation of the Secretariat's presentation on the topic "IP and Development in the Digital Environment", and the Committee took note of the information contained in the presentation of the Secretariat as well as information provided by the Member States.

## **AGENDA ITEM 8: CONSIDERATION OF WORK PROGRAM FOR IMPLEMENTATION OF ADOPTED RECOMMENDATIONS (resumed)**

### Consideration of document CDIP/23/11 – 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” and its Integration into the New WIPO INSPIRE Platform

279. The Chair invited the Secretariat to introduce the document.

280. The Secretariat (Mr. Czajkowski) indicated 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, contained in Annex I of the Compilation of Member States Inputs on Activities Related to Technology Transfer (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. It added that the Committee, during the 20<sup>th</sup> session, had discussed a roadmap comprising a number of possible actions and estimated costs to promote the web forum and had subsequently requested the Secretariat, during the 21<sup>st</sup> session, to adapt the roadmap and costs to the case of using WIPO's existing eTISC knowledge sharing platform. At the 22<sup>nd</sup> session, the Committee had requested the Secretariat to provide further details and costing for customizing and integrating the web forum in WIPO's Inspire Platform, which was under development. It stated that five possible actions in the previously proposed roadmap were still included in document CDIP/23/11: (i) carrying out an assessment of the target audience and their requirements given any existing similar services; (ii) developing a content strategy based on that assessment; (iii) deploying the platform and implementing the content strategy; (iv) developing a communications and promotion strategy to identify effective channels to reach segments of the target audience; and (v) seeking partnerships through already established communities related to technology transfer. The Secretariat pointed out that document CDIP/23/11 outlined an alternative to the initial and revised roadmaps, namely to migrate the content from the web forum to the eTISC platform without taking any further actions. No additional resources were expected to be required to implement that alternative, as it would leverage the website administration and moderation already provided for the eTISC platform as a whole. That alternative would rely entirely on increased traffic from the eTISC platform's visibility and existing user base, which would be further increased with its integration into the WIPO Inspire Platform later in the year, to promote usage of the web forum. That passive approach would be less effective than the active approaches to promote user acquisition engagement and retention, by bringing in users from other communities and creating dynamic and engaging content specifically adapted to the needs and interests of the target audience. In the case that the Committee approved the alternative outline of document CDIP/23/11, the web forum could still be reviewed at a later stage in its new form and additional actions could be reconsidered on the basis of that review.

281. The Delegation of Croatia, speaking on behalf of the CEBS Group, highlighted that the document set out in a detailed manner different steps and actions that would have to be undertaken under the two options to promote the usage of the web forum. The customizing and possible integration of the web forum into the new WIPO Inspire Platform could lead to a meaningful and cost-effective result while the implementation of the option of –migrating the content from the web forum to the eTISC platform– would require additional resources. It reminded the Committee of the necessity of convening a useful tool to enable Member States to deal with issues related to technology transfer and stated that it was ready to hear the opinion of delegations on the matter.

282. The Delegation of Romania, speaking on behalf of the EU and its member states, stated that the updated practical steps for the possible actions set out in document CDIP/23/11 were result-oriented and appropriate to promote the usage of the web forum. It reiterated its suggestion to carry out the proposed actions in parallel whenever possible, as that would enable Member States to achieve more effective, fast and positive results. It noted the alternative proposal to only migrate the content from the web forum to the eTISC platform, which did not require additional resources for implementation. It was of the view that the content of the web forum should be relevant, dynamic, easy and convenient to use.

283. The Delegation of Canada, speaking on behalf of Group B, noted that document CDIP/23/11 reflected the suggestions expressed by Member States at previous sessions of the Committee. The integration of the web forum into WIPO's new Inspire Platform was a positive step forward as it would significantly increase the visibility and accessibility of the forum for users at no cost. It encouraged the Secretariat to re-leverage existing knowledge and resources to promote the web forum and foster discussions and the sharing of user-generated content on the forum in line with the spirit of the initial proposal of the United States, Australia and Canada. It requested the Secretariat to make a demonstration of the new platform once it was finalized and, if possible, at the 25<sup>th</sup> session of the Committee.

284. The Committee took note of the information contained in document CDIP/23/11, accepted the alternative outline set out therein and requested the Secretariat to provide a report on the web forum at its 25<sup>th</sup> session.

#### **AGENDA ITEM 7.(I) WIPO TECHNICAL ASSISTANCE IN THE AREA OF COOPERATION FOR DEVELOPMENT (resumed)**

##### Presentation by the Secretariat on the Roster of Consultants following its incorporation into the Enterprise Resource Planning (ERP) System

285. The Chair invited the Secretariat to make the presentation.

286. The Secretariat (Mr. Di Pietro) recalled that DA Recommendation number 6 had established the need to develop a database of consultants involved in technical assistance activities undertaken by WIPO. The idea behind the database was to get access to the informational data of the consultants and the kind of engagements that they were undertaking. The database contained the identity of the consultants engaged to undertake activities in developing countries, LDCs and countries with economies in transition. The consultants were experts engaged by the Organization for a specific assignment for a limited period of time. They were not based in WIPO headquarters or its external offices. The search criteria developed to find out information within the database was by gender, nationality, languages, name of the consultant, field of expertise, beneficiary country of the technical assistance and year of assignment. There was additional information about the consultants reserved for the Organization due to privacy issues. The Secretariat had updated and automatized the database. It had compiled the information of the previous 5 years. The database had 1,809 consultants (544 female and 1,268 male), covering 140 nationalities and 12 languages, including the six UN official languages. The Secretariat showed the test version, which would be online in 3 languages within 2 weeks, and in French and Spanish within 4 weeks. The advantages of the new database were that all the information would be uploaded automatically and in time. Therefore, the information about the engagement of consultants or speakers by WIPO would be available and reliable. The initiative had been undertaken within the framework of another database that had already been developed, the IP-TAD (a database on technical assistance activities of the Organization), and the database under development of participants financed by

WIPO or participants attending WIPO organized activities, technical assistance activities in developing countries and countries with economies in transition.

287. The Delegation of Croatia, speaking on behalf of the CEBS Group, noted that the presentation was useful and the information given provided a better understanding on the improvement of the system, which would be much easier to use.

288. The Delegation of Canada, speaking on behalf of Group B, mentioned that the presentation was comprehensive and provided useful information. It welcomed the additional features that created a more user-friendly interface and allowed for faster retrieval of information. It commended the Secretariat for making available in French and Spanish information on the consultants which was previously only available in English. The addition of the Roster of Consultants (RoC) to the ERP System would allow for more transparency and would improve the quality of external technical expertise.

289. The Secretariat (Mr. Di Pietro) thanked the Member States for their comments and stated that the database of the RoC would be available in French and Spanish within four weeks.

290. The Committee took note of the Secretariat's presentation on the RoC following its incorporation into the ERP System.

#### **AGENDA ITEM 8: CONSIDERATION OF WORK PROGRAM FOR IMPLEMENTATION OF ADOPTED RECOMMENDATIONS (resumed)**

##### Consideration of document CDIP/23/15 – Project Proposal Submitted by the Plurinational State of Bolivia for the Registration of the Collective Marks of Local Enterprises as a Cross-cutting Economic Development Issue (continued)

291. The Chair invited the Delegation of Bolivia (Plurinational State of) to brief the Committee on the progress of its project proposal.

292. The Delegation of Bolivia (Plurinational State of) indicated that a number of details of the project proposal needed to be completed. It had worked with the Secretariat so that the project was ready for approval. The only outstanding issue was the budget, which had not yet been fully prepared by the Secretariat due to internal logistical reasons. It would work with the Secretariat with a view to approving the project at the next session of the Committee. It thanked again the Secretariat and all delegations for their support.

293. The Chair reiterated that the delegations had reacted positively to the project proposal and that the outstanding issue was the costing. The Committee would come back to the proposal at the subsequent session after the missing elements had been included. He proposed to include the following decision language in the Summary by the Chair: "the Committee took note of the project proposal and requested the Delegation of Bolivia to work with the Secretariat to develop the project further for its consideration at the next session".

294. The Delegation of Bolivia (Plurinational State of) requested whether it would be possible to add to the decision paragraph of the Summary by the Chair language stating that delegations had received the project favorably.

295. The Chair enquired whether it was acceptable to simply state that the Committee considered positively the proposal.

296. The Delegation of Bolivia (Plurinational State of) requested whether the decision paragraph could read “the Committee considered the proposal positively with a view to adoption”.
297. The Chair stated that it would be better not to prejudge the Committee’s decision on the budget of the project proposal. The statement of the Delegation of Bolivia (Plurinational State of), however, would be reflected in the report of the session.
298. The Delegation of the United States of America proposed an alternative language, as follows: “Member States offered positive comments”, instead of “considered positively”, in order not to set a precedent and not to prejudge the outcome of the discussions.
299. The Chair proposed to keep generic language in the decision paragraph of the Summary by the Chair, stating that “the Committee considered positively”.
300. The Committee considered positively the project proposal and requested the Plurinational State of Bolivia to work with the Secretariat to further develop the project for its consideration at the next session. It was agreed, given that there were no further comments from the floor.

Consideration of document CDIP/22/INF/4 – Summary of the Study on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt

301. The Chair invited the Secretariat to introduce the study.
302. The Secretariat (Ms. Toso) mentioned that the Consultant Ms. May Hassan would introduce the document. Ms. Hassan had been involved in the project throughout its various phases and was the author of the study. The summary gave an overview of the scope of the project, how the project had taken shape and the recommendations that had emerged from not only the observation on the ground but also from the work of a steering committee that had already considered the findings of the report.
303. The Consultant (Ms. May Hassan) stated that the research objectives were to support development goals, to promote tourism and cultural heritage in Egypt, and to leverage the components of local businesses.<sup>3</sup> They had adopted two methodologies: first, to explore the existing use of and potential of applying IP tools and strategies within the selected touristic destinations; and second, to devise related challenges in the domain of tourism. They had a national *ad hoc* steering committee composed of multiple ministries: the Ministry of Foreign Affairs, Ministry of Integrity, Ministry of Trade and Industry, Ministry of Tourism, the Center for Documentation, Culture and Natural Heritage and also the Creative Egypt and certain museums. Four destinations had been chosen by the steering committee: Aswan, the Holy Family Journey Route, the Siwa Oasis and the National Museum of Egyptian Civilization. Each of the destinations represented a different type of tourism. The destinations were significant tourist attractions with natural and cultural resources, authentic origin-based products and festivals, where one could identify IP assets. During the study, they had gone through the resources of each destination, their assets, the typical products related to each land, and the opportunities and difficulties in each destination. They had come up with some intellectual property strategies that could be applied in practice to promote development. In the context of the Aswan route, the typical products were mainly folklore artifacts, creative works and performances. There were many Nubian authentic products, mainly derived from the cultural heritage including jewelry, pottery, costumes, some Nubian cuisine and herbs and beadwork. The architecture was also different, with motifs that represented Nubian cultural heritage. There were many books and

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<sup>3</sup> The presentation by the Consultant in pdf format is available at:  
[https://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=438671](https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=438671)

paintings that represented the Nubian cultural heritage as well as a Nubian YouTube channel about the Nubian culture. There was also a Nubian dance and two main festivals; the Abu Simbel Sun Festival and the Nubia in Colors Festival, which drew many tourists. In relation to the Holy Family Journey, she mentioned that more than 25 spots in Egypt went through the route, although some of them had certain accessibility problems. Tourists went through it as a spiritual and religious journey. The Egyptian Ministry of Tourism had identified the Holy Family Journey as a strategic priority for tourism promotion. There were authentic products on the route, creative works, leather, embroidery needlework and high-quality carpets. There were also traditional costumes, sense therapy, local industries and performances. Furthermore, there was architecture including the Saint Mary Church in Sakha and the New Hermopolis Eco-lodge in Minya Governorate. The Holy Family Journey route had been blessed by the Vatican's Pope Francis and, hence, Egypt had made it a priority. She pointed out that the famous singer Adele had worn a local traditional bridal costume in her last concert in Egypt which had been wrongly attributed to non-Egyptian designers. Tourists were also attracted by the sense therapy, local products and cuisine, and music festivals. The National Museum of Egyptian Civilization had many facilities, galleries and exhibitions with a collection of 50,000 objects. Moving to the challenges faced by tourism in Egypt and the links to intellectual property, the Consultant noted that the five tourism components were not present in all the destinations. In relation to IP strategies, Mark Andreesen had stated, "product/market fit means being in a good market with a product that can satisfy that market". Having a product that satisfied that market meant that 40 per cent of that market or the consumers should be disappointed if the product was not available in the market. However, one could have the market and the product but, without intellectual property tools, there would be no commercialization of the products. She pointed out that Egypt had many natural and cultural resources which could generate some revenue by applying some intellectual property strategies to transform them into intangible assets and commercialize them. She indicated that most of the products did not bear any trademark and, hence, there was a lack of identification, low prices and negative impact on the development of selected destinations. The strategy they intended to adopt was branding destinations, products and festivals, which would raise consumer confidence on the authenticity of the local products and build recognition of traditional Egyptian festivals. Domain names had also been neglected, although they were important for destinations. Using a trademark and a domain name on social media could create more visibility. The trademark of the National Museum of Egyptian Civilization had not been used in any of their products. The Museum had registered the trademark after the study and it had licensed it to the handicraft artisans to create exclusive products for the gift shops of the museum. Trademarks could be used by museums on their name, logos, artists' names and signatures, package and colors of the museum-based objects, titles of exhibitions and programs, and even the buildings of the museums themselves. She gave two examples of trademarks that were found but had no real implementation: the Fuwwah Mark that represented the kilim industry in Fuwwah, a city in Kafr El Sheikh Governorate, and the Siwa Mark for olive oil and other organic products from the area. The marks could be used as collective marks, appellations of origin and geographical indications, which could increase the reputation and enable premium prices. She further mentioned CULTURAMA, a patented invention in Egypt which showed culture documentaries on screens that could be moved from place to place. Since the patent would expire soon, the next strategy would be to trademark the name. There were also products that could benefit from geographical indications. One of the recommendations of the study had been to establish a database of all that information. She indicated that copyright protection was automatic in Egypt and that there was a system for registration which provided for licensing. She gave an example of the Virtual Museum of Canada where they had made many micro components, virtual games, website, software, and database that could be protected by intellectual property tools. Virtual tools and mobile applications could be used as educational tools for students and result in an increased interest on Egyptian history among students. She pointed out a picture taken in the National Museum of Egyptian Civilization which had different components that could be protected by copyright: audio recordings, audiovisual works, photographs, artworks in collections, publications and databases. There was a lot of innovation

in Egypt, but it was not patented or commercialized. Communities with traditional knowledge and traditional cultural expressions as well as the sense therapy centers needed to be linked to universities to enable research and development to create more patents. The challenges were related to awareness, management, policy institution and legality. There was a need for a single IP body to manage and coordinate the existing multiple institutions. The IP offices fell each under the umbrella of a different ministry, so it was hard to connect them among themselves. There was also a need for IP policies related to tourism and increased awareness of IP. The awareness raising could be done through seminars and workshops that could integrate tourism and IP together in one curriculum in the universities. With the assistance of WIPO, they had been able to do three seminars: Intellectual Property, Tourism and Culture: Policy Options for Sustainable Development in Egypt; Intellectual Property in Tourism and Cultural Heritage Promotion in Egypt: IP Management in Museums; and Seminar for Private-Sector Tourism Stakeholders on Tourism, Development and Intellectual Property. A number of recommendations had emerged from the seminars. She also highlighted successful case studies: the Creative Egypt, a cultural trademark that represented many Egyptian designers; the Azza Fahmy Jewellery inspired by the Nubian cultural heritage; the Kilim trademark; and the advertising campaign that promoted Egypt's tourism through social media using the hashtag #ThisisEgypt. The latter had won the first prize award to the best tourism promotional video in the Middle East at the World Tourism Organization's 22<sup>nd</sup> General Assembly.

304. The Delegation of Egypt stated that the study reflected the positive implications of the implementation of the project in several areas in Egypt, addressed important challenges and presented useful recommendations. The Delegation commended the results of the seminars and workshops, which had helped to raise awareness about the use of IP tools to promote tourism and cultural heritage in Egypt and the valuable recommendations that had stemmed from them. It expressed its appreciation for the fruitful cooperation between Egypt and WIPO during the implementation of the project and looked forward to further coordination and cooperation in implementing a second phase of the project.

305. The Delegation of Croatia, speaking on behalf of the CEBS Group, noted that the study focused on four different tourist attractions and encompassed different types of tourism in Egypt. The study highlighted successful instances for promotion and offered recommendations for the identified challenges. It demonstrated how cultural heritage might assist in development at the local level.

306. The Delegation of Canada, speaking on behalf of Group B, mentioned that the study consisted of a useful mapping exercise as it identified how and which IP rights could support the Egyptian tourism industry. The study served as an important reminder that IP rights not only supported the audiovisual sector and research-intensive industries but also a whole range of economic activities, including services. The use of IP created value assisted the safeguarding and promotion of cultural heritage, provided assurances to consumers and fostered development at the local level.

307. The Delegation of Senegal expressed its appreciation for the presentation, which had been very informative and could be used as inspiration for future activities.

308. The Delegation of Tunisia pointed out that it was studying the advantages that it could draw from the strategic use of IP in tourism in Tunisia. It welcomed the activities and seminars that were part of the project.

309. The Delegation of Namibia stated that it would highlight the progress made on the implementation of the WIPO project on IP and tourism in Namibia since the preceding CDIP session. The tourism sector could empower Namibians in different ways through effective partnerships, promoting sustainability. The Ministry of Environment and Tourism of Namibia,

through the National Tourism Investment Profile and Promotion Strategy, 2016 to 2026, highlighted that more than 43 per cent of the land was under conservation management. The tourism industry was one of the largest contributors to GDP and had the potential to help achieve sustainable development in line with regional, national and international development plans. Due to the warmer climate, rich cultural history, abundant biodiversity and impressive landscapes, the tourism industry in Namibia had a comparative advantage, allowing for steady growth resulting in increased revenue and job creation. The nominal contribution towards GDP in 2006 had amounted to 7 billion Namibian dollars, but in 2012 it had grown to 15.5 billion Namibian dollars, contributing about 15.5% to the GDP in 2012. Further, the direct contribution to employment amounted to 22,857 people and the indirect contribution to the labor market had been 88,200 in 2012. SDGs 13, 14 and 15 called for the protection of the environment as a healthy, thriving environment in which biodiversity was sustainably managed and laid the foundation for many aspects of life. It indicated that over the previous three years, the implementation of the project in Namibia had involved efforts of several stakeholders, including government institutions, universities and the public sector. The stakeholders had put together efforts to mobilize resources, raise awareness with a commitment to make IP a part of the policy business and academic agenda in relation to tourism. During that period, two national studies had been conducted, one reflected on a nationwide analysis of the use of the IP in selected tourism destinations, and the second looked at two specific business initiatives which made use of IP tools for sustainable tourism and local community development. Three major universities were fully involved in developing specific academic courses in IP and tourism and integrating the teaching of IP in their respective curricula, both at undergraduate and postgraduate levels. The topic of the relationship between IP, tourism and development had become a subject of academic research and the three universities were considering coming together to run a training and training of trainers course on IP and tourism before the end of 2019. The recommendations and lessons learned from the studies had been captured in an Action Plan agreed by all stakeholders involved in the project. The Action Plan aimed at implementing specific recommendations over three to four years, from 2019 to 2022. The continuous support of WIPO would be critically important. An extension of the project would allow the efforts deployed to bear fruit, taking advantage of the involvement of all stakeholders and the momentum created by the project.

310. The Delegation of China stated that, similarly to Egypt, many developing countries had a lot of colorful traditional knowledge and very useful traditional products. Developing countries shared the challenge of protecting those resources. The study had provided a number of inspiring ideas on how to effectively and comprehensively protect and use traditional knowledge and products. It expressed its desire to enhance the exchange of information and practices on the topic.

311. The Delegation of Gabon noted that tourism in Egypt was well organized and that the link to IP would allow to create value chains that would bring benefits to the country. The Delegation enquired to what extent the process could be applied to other countries with a strong tourism basis.

312. The Delegation of Pakistan pointed out that the study was significant and highlighted the importance of traditional knowledge and products and their link with IP. It noted that the diverse studies showed relevant information for other developing countries.

313. The Secretariat (Mr. Di Pietro) responded to the question raised by the Delegation of Gabon and stated that the study emerged from a pilot project launched in the Committee for four countries: Egypt, Namibia, Sri Lanka and Ecuador. The Secretariat had developed a rich experience in the previous three years that allowed it to provide more focused and technically skilled advice to any Member State that wished to receive support to develop an IP sectorial strategy in the field of tourism. There would be a final report at the subsequent session of the

Committee in November which would provide various internal and external evaluations of the whole project, including the four countries.

314. The Committee took note of the information in the Summary of the Study on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt contained in document CDIP/22/INF/4. It was agreed, given that there were no further comments from the floor.

Consideration of document CDIP/23/INF/2 – Summary of the Study on the Use of the Intellectual Property System in the Mining Sector in Brazil and Chile

315. The Chair invited the Secretariat to introduce the report.

316. The Secretariat (Mr. Raffo) stated that the two studies were the last outputs of the Project on Intellectual Property and Socio-economic Development - Phase II (CDIP/14/7). The studies were part of a global study that the Secretariat was undertaking on mining innovation, which also included other partners from Australia, Canada, United States and several academic and research institutions, as well as research from WIPO's Economics and Statistics Division. The global study had been inspired by the results from Phase I of the project. The studies had shown that despite the low patenting activity in Chile and Brazil, there was a substantial amount that could be attributed to the mining sector. Many other agencies in the world, particularly IP Australia, had also made the same observations. The global study had two main components: one was creating a global database on mining innovation, largely based on patent data; and the second one was conducting economic research based on that and other data. The studies in both Chile and Brazil had contributed to the two components. In relation to the first component, Phase I of the project was instrumental because it facilitated good quality of unit record data for statistical and economic analysis in both countries. That had resulted in both the Chilean and Brazilian national IP offices being able to participate in equal terms in the global project as the other partners, which was significant. In relation to the second component, Chile and Brazil had identified local experts to extend the analysis beyond IP data, in collaboration with the WIPO Economics and Statistics Division. The aim was to provide a more refined understanding of innovation in the mining sector. That was the subject of the two studies, which were also available on WPO's webpage and which, together with the global studies, would be part of a Cambridge University Press Book. The two studies offered interesting insights not only into the mining sector but also to the IP community. In the case of Brazil, the study documented carefully how the suppliers of mining technology equipment and services, known in the industry as METS (mining equipment, technology and services suppliers) companies, were the main vector for technological transfer to the country, and particularly to the mining sector. Most of the METS were foreign companies, although the technological transfer was not always taking place directly from the foreign METS company to the local mining company or subsidiary of a foreign mining company, but through local small METS that acted as brokers. The local small METS would get technological transfer from different foreign METS, in particular from Japan in the case of Brazil, and they would then provide sophisticated services to the mining sector. In addition to that, the Secretariat had noticed in Brazil, and also in the context of the global study, that mining companies filed substantially less patents than METS companies. The patents of mining companies, however, were mostly filed by Brazilian companies, and mostly by one single Brazilian company: Vale S.A., a big company that accounted for half of the mining patents filed in Brazil by mining companies. Following discussions with the Brazilian IP office, the Secretariat had decided to undertake a case study on Vale S.A, which was detailed in the document. Two main conclusions had come out of that case study, which were important in general for the region, and also for other countries in similar situations. The first one was that those big companies had a double strategy, a closed and open innovation strategy. A closed innovation strategy meant that one relied on its own capacity to develop innovation, relying very little on external input, and shared little with outsiders. The open model meant that one relied

significantly on the innovation available outside, on academia, competitors or suppliers, and shared some of the technology through licensing and other means. A closed strategy did not need much formal IP, as it would rely on secrecy, while an open innovation strategy needed much more IP, especially for the transfer of technology both into and out of the company. The fact that big multinational companies from a developing country were starting to have both a closed and open strategy was interesting for the IP community, especially because the case study showed that only since 2009 did Vale S.A. even have a corporate IP strategy. National IP strategies had been discussed extensively within WIPO, while corporate IP strategies had been only slightly explored. In the case of Chile, the mining sector was extremely relevant. In order to complement the data from the patent analysis, local experts had conducted a survey of local METS companies. Most of the local METS did not make use of the patent system, and only some used other forms of IP. Ninety per cent of them considered that they were well aware about IP systems and that they took IP into consideration when analyzing new business opportunities. Therefore, the problem was not necessarily a lack of awareness but something more complicated. The Secretariat had noticed that the vast majority of local METS were small companies or SMEs, which could explain why they could not immediately use sophisticated kinds of IP, since they did not have the critical mass to do so. In addition to that, their awareness and knowledge of IP was also related to their export behavior; METS that were providing services not only to local mining companies but also to mining companies in other countries were more aware and prone to use IP. Those companies should be targeted for awareness raising. An attempt should be made to understand why they used or did not use IP. Furthermore, the study for Chile also offered two case studies about local METS and some structured interviews. The two studies had been reviewed at several stages and the last stage had been reviewed by external experts. The same criteria had been applied for the other studies of the global study. All the four studies done by the Secretariat had been made available on the website.

317. The Delegation of Chile noted that the conclusions of the study showed that there were opportunities for growth but also challenges that went beyond IP matters and related to environmental sustainability. As one of the main producers of copper, Chile should be a center for research and technological development on copper. It had the infrastructure and the ecosystem to be able to become one. The recycling of copper was another new challenge that Chile had to be prepared to face. The experiences of the copper industry should prove useful to meet those challenges and to continue developing other metal and non-metal mineral-based industries often found throughout the country, such as lithium.

318. The Delegation of Brazil aligned itself with the statement made by the Delegation of Chile. It noted that the study was important to help formulate public policies, IP policies and enhance innovation in the mining sector. It was interesting to note that most of the innovation in the sector was driven by METS, rather than by the mining companies. The Delegation sought clarification on the data of the total exports of the mineral sector of Brazil for the first quarter of 2017.

319. The Delegation of Croatia, speaking on behalf of the CEBS Group, thanked the Patent offices of Brazil and Chile as well as the Secretariat for the study. It noted that innovation in relation to the mining sector was also explored with other IP offices in countries like Australia, Canada and the United States, which provided an expanded oversight into the sector. It was appreciative of the creation of a global mining IP unit record database and the empirical analysis of the use of IP in the mining sector as well as for the first attempt of analyzing related questions in a less developed country.

320. The Delegation of Canada, speaking on behalf of Group B, welcomed the multi-country study that examined innovation and IP in the mining sectors of Australia, Brazil, Canada, Chile, China, Colombia and the United States of America. It highlighted that the study provided a comprehensive understanding of innovation in the mining sectors of Brazil and Chile, and noted that the mining sector was viewed as less innovative due to the fact that it was an extractive

activity. The study was a perfect example of how a DA project could narrow the knowledge gap faced by policymakers in designing and implementing an IP regime that promoted development. It was pleased with the efforts made to standardize IP unit record data, as that was essential to the creation of the database and would facilitate any future research in the area.

321. The Secretariat (Mr. Raffo) appreciated the observations made by Member States. It mentioned that there had been many comments about the global database and that its intention was to put it in the public domain for the benefit of all. While some studies were for certain country needs, the database and some of the analysis undertaken at the global scale were available in working papers. The database was probably the most complete analysis that existed on global innovation in mining. It was a public good that could be used by all Member States. It appreciated the excellent collaboration with all countries that had participated. In response to the question by the Delegation of Brazil, it stated that the percentage of exports was a quote coming directly from the working paper produced by the National Institute of Industrial Property of Brazil and the external local consultants. The figure referred to only one quarter, so any discrepancies could be due to seasonality effects and price variation. That was actually the subject of one of the global studies carried out by the Secretariat, which had studied the impact of price variation on innovation. It would however check if the figure was accurate and correct it in the event that it was not.

322. The Committee took note of the Summary of the Study on the Use of the Intellectual Property System in the Mining Sector in Brazil and Chile contained in document CDIP/23/INF/2. It was agreed, given that there were no further comments from the floor.

Consideration of document CDIP/23/12 – Follow-up Proposal to the Feasibility Study on Enhancing the Collection of Economic Data on the Audiovisual Sector in a Number of African Countries

323. The Chair invited the Secretariat to introduce the document.

324. The Secretariat (Ms. Croella) stated that the Feasibility Study on Enhancing the Collection of Economic Data on the Audiovisual Sector in a Number of African Countries (CDIP/21/INF/2) had been undertaken under the framework of the Project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II (CDIP/17/7). It had been prepared by two independent consultants, Ms. Deirdre Kevin and Ms. Sahar Ali, and was presented to the 21<sup>st</sup> session of the Committee. The Secretariat had been requested to explore the need for further related work. Document CDIP/23/12 was a proposal for an implementation plan of follow-up activities that could help disseminate the outcome of the project. It was based on two main activities. One was a proposal for a sub-regional seminar and workshop to disseminate study findings. The other would be a summary document following the workshop that would allow for the outline of the experiences in the area of data collection, in particular in some European countries, countries in Latin America or African countries that have significantly developed the aspect of economic data collection. It would also compare some of the practices recommended and define options for countries to develop activities in that area.

325. The Delegation of Senegal highlighted that during the implementation of the Project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II, it had come across difficulties in most countries in mobilizing the financial institutions. Cultural actors had the impression that actors in the banking system were not interested in culture, while those actors requested figures and market studies in order to invest. The second difficulty was dealing with policymakers to increase cultural budgets with little statistical data. Statistical data was important to convince policymakers and financial institutions, which was why the follow-up proposal was necessary.

326. The Delegation of Croatia, speaking on behalf of the CEBS Group, stated that the planned activities contained in document CDIP/23/12 would contribute to disseminate economic data on audiovisual sectors, increase awareness on the methodology for collection, analysis and presentation of data, as well as to identify possible approaches towards enhanced data collection.

327. The Delegation of Romania, speaking on behalf of the EU and its member states, stated that the Feasibility Study on Enhancing the Collection of Economic Data on the Audiovisual Sector in a Number of African Countries (CDIP/21/INF/2) had provided relevant outputs. Both the sub-regional workshop to disseminate the study findings and the summary after the workshop as planned in the follow-up proposal would be useful. Nevertheless, the EU and its member states encouraged the use of digital means to broaden the impact and better achieve the targeted goals of raising awareness and disseminating the findings of the feasibility study on the importance of collecting market and legal data in the audiovisual sector.

328. The Delegation of Cote d'Ivoire expressed its wish to participate in the activities mentioned in the proposal.

329. The Delegation of China welcomed the proposal, which would help the beneficiary African countries to work on that area and others to derive lessons.

330. The Delegation of Burkina Faso supported the proposal and highlighted the importance of data for the audiovisual sector.

331. The Delegation of Canada, speaking on behalf of Group B, stated that at the 21<sup>st</sup> session of the Committee it had welcomed the Feasibility Study on Enhancing the Collection of Economic Data on the Audiovisual Sector in a Number of African Countries (CDIP/21/INF/2), which presented a set of valuable conclusions and suggestions for potential next steps towards improving data collection in Burkina Faso, Cote d'Ivoire, Kenya, Morocco and Senegal. The follow-up proposal contained in document CDIP/23/12 was squarely in line with the second recommendation of the feasibility study and represented a concrete step to raise awareness on the importance of enhancing the collection of market and legal data in the audiovisual sector, as well as canvas workable options to increase the transparency of market and legal data in beneficiary countries. It noted that the costs of the proposed activities would be covered by the existing budget of WIPO's Copyright Law Division. It supported the adoption of the proposal and looked forward to its implementation.

332. The Delegation of Uganda, speaking on behalf of the African Group, stated that statistical data was valuable for planning purposes in any sector. It mentioned that the successful completion of the project would produce useful data that could be used by policymakers in beneficiary countries to establish relevant IP policies. It supported the proposal.

333. The Committee approved the Follow-up Proposal to the Feasibility Study on Enhancing the Collection of Economic Data on the Audiovisual Sector in a Number of African Countries contained in document CDIP/23/12 and requested the Secretariat to report on the implementation of the activities at its 25<sup>th</sup> session. It was agreed, given that there were no further comments from the floor.

## **AGENDA ITEM 9: INTELLECTUAL PROPERTY AND DEVELOPMENT (resumed)**

### Consideration of document CDIP/23/16 – Proposal submitted by the Russian Federation on “IP and Development in the Digital Environment”

334. The Chair invited the Delegation of the Russian Federation to introduce the proposal.

335. The Delegation of the Russian Federation stated that it had proposed a draft for consideration by the Committee covering various aspects of WIPO’s work on “IP and Development in the Digital Environment”. It had carried out consultations with all the Regional Groups and interested delegations to work on the text of the proposal, contained in document CDIP/23/16. During the course of the discussions, it had drafted a new text that was distributed to all participants. The text had two parts; the first part fixed the presentation made by WIPO and the exchange of experiences among Member States; the second part was a request to the Committee to undertake a stocktaking to examine the needs of developing and LDCs in the context of IP office digitalization, as well as to prepare a list of activities that could be carried out by WIPO in that regard. The draft contained a provision that the results would be submitted by the Secretariat at the 25<sup>th</sup> session of the Committee. Should the Secretariat need more time or resources, it would communicate it to the Committee at its 24<sup>th</sup> session. It thanked all delegations for their support and flexibility and expressed hope that the proposal would be adopted.

336. The Chair read a draft proposed decision to be included in the Summary by the Chair under agenda item 9 on “IP and Development”: “the Committee discussed the topic IP and Development in the Digital Environment and took note of the presentation by the Secretariat and experiences shared by Member States concerning current and future challenges and opportunities faced by the IP system as a result of the transition to the digital environment. Delegations expressed appreciation of the presentation by the Secretariat on IP and Development in the Digital Environment. The Committee requested WIPO Secretariat to: a) conduct a stocktaking in the context of IP office digitalization to identify the respective infrastructure needs of developing countries and LDCs, i.e. raising awareness, improving IP Offices’/institutions’ capacities, and their use of digital technologies to automate and optimize IP registration and administration processes; b) based upon the result of the stocktaking, provide for the CDIP’s consideration a list of suggested activities aimed at enabling implementation of the WIPO Development Agenda Recommendations from Clusters A and C, specifically aimed at bridging the digital divide (Recommendation 24), improving national IP institutional capacity through further development of infrastructure (Recommendation 10), and facilitating IP-related aspects of ICT for growth and development (Recommendation 27). The Committee will consider the result of the stocktaking and the list of suggested activities at its 25<sup>th</sup> session, with the view of identifying possible future CDIP needs-focused projects. Those Member States interested in participating in such projects and activities may inform the WIPO CDIP Secretariat and/or present their possible proposals to the Committee. If there is a need for additional time or financial resources for conducting the activities contained in para. 10. 2 (a) and 10. 2 (b), the Secretariat should report to the Committee at its 24<sup>th</sup> session.” The Chair clarified that the decision would replace the decision paragraph proposed the previous day on agenda item “IP and Development”. The decision was adopted and the Chair opened the floor for comments.

337. The Delegation of Indonesia, speaking on behalf of the APG, appreciated and commended the Secretariat for the presentation delivered the previous day on the topic “IP and Development in the Digital Environment”. It took note and commended the experiences shared by Member States, including by the Russian Federation, on the mentioned topic. The Delegation had indicated its position to join consensus and commended the Delegation of the Russian Federation, Member States and interested Regional Groups which had been conducting the discussions that led to the decision under that agenda item.

338. The Delegation of Brazil thanked the Delegation of the Russian Federation for presenting its proposal. It stated that it had cooperated with the Russian Federation on the topic on “IP and Development in the Digital Environment”. It was satisfied with the results and thanked Member States that had contributed to enrich the discussions. It encouraged more developing countries to share their experiences in the context of the agenda item “IP and Development” at future sessions. It mentioned that it would host the BRICS Summit on November 13 and 14 in Brasilia and that the digital economy was a priority of the BRICS countries. It had been working with other Member States at WIPO and at the WTO to deepen the discussions on different dimensions of the topic to ensure nations could accrue the benefits of the digital revolution. It supported the proposal by the Russian Federation and noted that it was a positive contribution to the ongoing discussions on the topic of the digital economy at WIPO.

339. The Delegation of Iran (Islamic Republic of) stated that it was pleased with the presentation by the Secretariat and the discussion on the agenda item “IP and Development” and looked forward to the next discussion under that agenda item. It commended the proposal by the Delegation of the Russian Federation, noted that its comments had been fully addressed in the revised version of the proposal, and congratulated the Russian Delegation on the adoption of the proposal.

340. The Delegation of Romania, speaking on behalf of the EU and its member states, thanked the Delegation of the Russian Federation for the proposal and stated that IP played an important role in the digital environment. It found the topic worth exploring and expressed its readiness to engage in related discussions as technologies were constantly transforming lives and had an impact on IP and development.

341. The Delegation of China supported the proposal by the Delegation of the Russian Federation. It stated that the growth of digital and emerging technologies promoted socio-economic development and industry transformation. It also brought opportunities and challenges. WIPO and national IP offices were undertaking studies on how to use new technologies to improve IP management. It welcomed the exchange of experiences on that area and supported WIPO’s role in providing guidance and coordination.

342. The Delegation of Croatia, speaking on behalf of the CEBS Group, thanked the Delegation of the Russian Federation and Member States that had worked on the revised proposal and reiterated its support for the role of IP in the digital environment. The adopted proposal was a good basis for further work in the area by the Committee.

343. The Delegation of Uganda, speaking on behalf of the African Group, stated that the proposal would help identify challenges faced by IP offices in developing countries in the digital environment and examine solutions to the challenges, enhancing their potential to operate in the digital environment. Hence, it supported the proposal.

344. The Delegation of Syria thanked the Secretariat for its presentation and the Delegation of the Russian Federation for the proposal. It reiterated its commitment to further cooperate with WIPO in order to achieve the SDGs.

345. The Delegation of the Russian Federation reiterated its appreciation to Member States, the Regional Groups and the Secretariat.

346. The Delegation of South Africa aligned itself with the statement made by the Delegation of Uganda on behalf of the African Group and welcomed the proposal made by the Delegation of the Russian Federation. It stated that the proposal was timely as it sought to mobilize a response by WIPO to the transition to the digital environment, which brought many opportunities and

challenges related to IP. It was therefore critical for the global community to work together to avert the negative consequences associated with the digital environment while maximizing the benefits. The digital environment had broad implications, including in the context of IP and development, where WIPO had a key role to play. The Delegation appreciated the work that WIPO was undertaking to assist Member States, particularly IP offices. It noted the digital divide highlighted in the Secretariat's presentation, which prevented developing and LDCs from accelerating the growth of their economies. It welcomed proposals to consider activities aimed at bridging the digital divide and looked forward to further discussions on issues related to the digital economy and new technologies under the agenda item "IP and Development". The exchange of experiences had the potential to significantly contribute to the optimization of the work of IP offices, including facilitation of examination, search and classification.

347. The Delegation of Tajikistan, speaking on behalf of the Group of Central Asian, Caucasus, and Eastern European Countries (CACEEC), stated that the presentation made by the Secretariat covered the most relevant issues on the global agenda, namely economic transformation in the digital environment and digital technologies' impact on IP. The Group was interested in sharing opinions regarding the prospects of IP development in the digital environment, an assessment of risks and benefits, methods used by IP offices to introduce new technologies and technical and legal aspects of such work. New technologies provided ample opportunities to increase the efficiency of IP offices, facilitate and expedite the examination process, automate search, classification and translation. The Group deemed it important to continue working actively to implement the vision expressed by the Director General of WIPO regarding the need to proactively use IT instruments, big data systems, and AI in the IP field. Adapting IP and IP offices to the new digital environment was a cross-cutting and relevant issue. The Group closely followed thematic events organized by WIPO as well as publications, such as *Technology Trends*. Since technology changes were occurring at an unprecedented pace, it hoped that such events would be held on a regular basis. It supported the Committee's decision on the proposal by the Russian Federation.

348. The Chair closed the discussion on agenda item 9 "IP and Development", given that there were no further comments from the floor.

## **AGENDA ITEM 8: CONSIDERATION OF WORK PROGRAM FOR IMPLEMENTATION OF ADOPTED RECOMMENDATIONS (resumed)**

### Consideration of document CDIP/23/8 – Secretariat's Proposal on Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review and Options as Regards the Reporting and Reviewing Process (continued)

349. The Chair resumed the discussions on document CDIP/23/8. He recalled that during the discussion earlier that week, some delegations had expressed the need for more time to reflect and consult on certain implementation strategies proposed by the Secretariat in that document. He proposed that the Committee discussed each of the modalities and strategies one by one and, in the event that any delegation still needed more time for any of them, the Committee would put on hold the discussion on that implementation strategy for continuation at the following session. The Chair opened the floor for comments on implementation strategy number 1.

350. The Delegation of Brazil mentioned that it needed more time on implementation strategy number 1.

351. The Chair opened the floor for comments on implementation strategy number 2.

352. The Delegation of Canada, speaking on behalf of Group B, stated that it needed more time on implementation strategy number 2.

353. The Chair opened the floor for comments on implementation strategy number 3.

354. The Delegation of Indonesia stated that it needed more time on implementation strategy number 3.

355. The Chair opened the floor for comments on implementation strategy number 4.

356. The Delegation of Canada, speaking on behalf of Group B, indicated that it needed more time on implementation strategy number 4.

357. The Chair opened the floor for comments on implementation strategies number 5 and 6. He stated that the Committee seemed to agree on those strategies, given that there were no comments from the floor. He opened the floor for comments on implementation strategy number 7.

358. The Delegation of South Africa stated that it needed more time on implementation strategy number 7.

359. The Chair opened the floor for comments on implementation strategies number 8, 9, 10, 11 and 12. He stated that the Committee seemed to agree on those strategies, given that there were no comments from the floor. He opened the floor for comments on implementation strategy number 13.

360. The Delegation of South Africa stated that it needed more time on implementation strategy number 13.

361. The Chair opened the floor for comments on implementation strategy number 14. He stated that the Committee seemed to agree on that strategy, given that there were no comments from the floor. He opened the floor for comments on implementation strategy number 15.

362. The Delegation of Canada, speaking on behalf of Group B, pointed out that it needed more time on implementation strategy number 15.

363. The Chair enquired whether the Committee agreed on implementation strategies number 5, 6, 8, 9, 10, 11, 12 and 14, while it required more time on implementation strategies number 1, 2, 3, 4, 7, 13 and 15.

364. The Delegation of Canada, speaking on behalf of Group B, stated that it agreed with the Chair's understanding. It further referred to a proposal brought forward by the Delegation of Brazil earlier in the week regarding the preparation by the Secretariat of a practical accompanying guide to help Member States develop and present new project proposals. It would make sense to include it in the document prepared by the Secretariat as a separate implementation strategy, since it specifically related to recommendation number 7 of the Independent Review. The Group proposed language for the implementation strategy and the modality. The proposed strategy would read as follows: "the Secretariat could prepare a practical accompanying guide that would provide information to Member States on the process to develop and present new project proposals, and disseminate it to maximize its use by Member States wishing to present new proposals". The Group foresaw two modalities: (i) first, "the Secretariat could prepare a practical accompanying guide, translated into all six UN languages, that would provide information to Member States on the process to develop and present new CDIP project proposals, which could be used as a reference guide by Member States wishing to present new

proposals”; and (ii) second, “the Secretariat could disseminate this new resource to ensure that it reaches the broadest relevant audience possible.” The Group added that recommendation 7 of the Independent Review would be addressed by the proposed strategy.

365. The Chair sought clarification on whether Group B wished to add the proposed strategy to the ones contained in document CDIP/23/8.

366. The Delegation of Canada, speaking on behalf of Group B, confirmed that the Chair’s understanding was correct and indicated that it was flexible on that aspect.

367. The Delegation of Indonesia, speaking in its national capacity, supported the proposal made by the Delegation of Canada.

368. The Delegation of South Africa appreciated the proposal put forward by the Delegations of Brazil and Canada. The proposal would be important to delegations as they prepared project proposals for the consideration of the CDIP. It stated that, however, earlier in the week the Chair had pointed out that at that stage delegations could only submit more implementation strategies provided that they were based on the ones contained in Annex I of document CDIP/23/8. It requested if the Delegation of Canada or Brazil could clarify if their proposal could be found in said Annex I.

369. The Delegation of Brazil supported the proposal by the Delegation of Canada.

370. The Delegation of Malaysia supported the proposal made by the Delegation of Canada.

371. The Chair stated that any delegation had the right to put forward implementation strategies and modalities as long as they were already in Annex I of document CDIP/23/8. He proposed that the new proposal by the Delegation of Canada be included for discussion at a later stage, together with the strategies and modalities that had not yet been agreed upon and any other new proposals put forward by Member States.

372. The Delegation of Brazil suggested that the Committee addressed the issue raised by the Delegation of South Africa on the proposal put forward by the Delegation of Canada during a break instead of postponing the discussion.

373. The Chair proposed the following decision paragraph for the Summary by the Chair: “The Committee agreed on implementations strategies number 5, 6, 8, 9, 10, 11, 12 and 14 as contained in document CDIP/23/8 and will continue the discussion on implementation strategies number 1, 2, 3, 4, 7, 13 and 15 as well as options for reporting and reviewing as contained in document CDIP/23/8 at the next session”.

374. The Delegation of South Africa supported the decision paragraph proposed by the Chair and requested that the decision statement also reflected that delegations could submit additional modalities and implementation strategies on the basis of Annex I of document CDIP/23/8.

375. The Delegation of Canada stated that its proposal was intended to capture the Delegation of Brazil’s idea that the Secretariat would prepare a resource guide to assist Member States in developing new project proposals. Given that such idea was not already contained in Annex I to document CDIP/23/8, the Delegation withdrew the suggested addition. The Group indicated that it would explore the possibility of introducing a formal project proposal to concretize the idea of the Delegation of Brazil for presentation at the subsequent session of the CDIP and invited any delegations interested in cosponsoring such a proposal to manifest their interest.

376. The Delegation of Brazil supported the statement made by the Delegation of Canada that they would present the proposal at the following session and welcomed any delegation that wished to participate.

377. The Chair responded the question raised by the Delegation of South Africa and pointed out that new proposals of the implementation strategies could be made as long as they were already in Annex I of document CDIP/23/8. The document before the Committee was the Secretariat's proposal, which had been prepared taking into consideration Member States' input. Hence, Member States who had provided the input had the right to try to pick up their proposal and come back to the implementation strategy. He proposed the following decision paragraph for the Summary by the Chair: "The Committee agreed on implementation strategies number 5, 6, 8, 9, 10, 11, 12 and 14 contained in document CDIP/23/8 and will continue the discussion on implementation strategies number 1, 2, 3, 4, 7, 13 and 15, and on the new proposals put forward by Member States in accordance with Annex I of that document, as well as options for reporting and reviewing as contained in document CDIP/23/8, at the next session."

378. The Delegation of Switzerland sought clarification on whether the Chair was referring to the Annex I of document CDIP/23/8 or another document, since Member States had submitted proposals which were contained in different documents.

379. The Chair pointed out that he was referring to the Annex I of document CDIP/23/8, which contained a compilation of all the inputs submitted by Member States.

380. The Committee agreed on implementation strategies number 5, 6, 8, 9, 10, 11, 12 and 14 as contained in document CDIP/23/8, and will continue discussion on implementation strategies 1, 2, 3, 4, 7, 13, 15 and on new proposals put forward by Member States in accordance with Annex I of the document, as well as Options for Reporting and Reviewing as contained in document CDIP/23/8 at the next session. It was agreed, given that there were no further comments from the floor.

## **AGENDA ITEM 10: FUTURE WORK**

381. The Secretariat (Mr. Baloch) identified the regular work to be carried out for each session or each alternate session of the CDIP. The first was Accreditation of Observers, in the event that the Secretariat received requests from NGOs. The second was the Report of the ongoing session of the Committee, which would be approved at the subsequent session. The third was the Progress Reports, which contained detailed reporting on DA projects and other activities. There could also be outputs from DA projects. Two projects were ready for evaluation: Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and Other Developing Countries and Use of Information in the Public Domain for Economic Development. The Secretariat would potentially present the evaluation reports of the two projects. It further referred to the six-point proposal on technical assistance presented by the Delegation of Spain. The decision taken by the Committee at its 18<sup>th</sup> session foresaw that the Secretariat would implement that proposal over a period of six CDIP sessions, which had been completed. At the following session, the Secretariat would submit a comprehensive report on all the actions that had been taken as part of the implementation of that decision. The Summary by the Chair of the 18<sup>th</sup> session of the CDIP also stated that, after the end of the mentioned implementation period of six sessions, the Committee would discuss the final implementation of the six-point proposal, and related documents CDIP/8/INF/1, CDIP/9/15, CDIP/9/16 and CDIP/16/6. The Secretariat would therefore make those documents available. As regards the Secretariat's Proposal on Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review and Options as Regards the Reporting and Reviewing Process (CDIP/23/8), the Committee had adopted a number of strategies.

The Secretariat would try to assess the need for human and financial resources for the implementation of those strategies that had been agreed upon, but it would only present a document once the Committee took a decision on the remaining strategies. The Committee would continue discussing implementation strategies number 1, 2, 3, 4, 7, 13 and 15, any new proposals presented by Member States on the basis of Annex I of document CDIP/23/8, and the options for reporting and reviewing. In relation to the agenda item “IP and Development”, the Committee would discuss the topic of “MSMEs, Innovation and Intellectual Property”, as recorded in paragraph 8.2 of the Summary by the Chair of the 22<sup>nd</sup> session. The Committee would need to decide on future topics to be discussed under that agenda item, and on whether the Secretariat would do a presentation on the topic. According to the request made by the Committee at its 22<sup>nd</sup> session, the Secretariat had prepared a roster of topics proposed by Member States to be discussed under the agenda item “IP and Development”, which was available online on the DA webpage. Since the 22<sup>nd</sup> session, the Secretariat had not received any new topics to be added to the roster. As per commitments from previous sessions, the Secretariat recalled that it had been requested to update the database of flexibilities in the event that it received any updates from Member States. The Secretariat had not received any update, but should it receive them, it would update the database and inform the Committee accordingly. The Secretariat referred to the Committee’s decision to hold a conference for LDCs on copyright and the management of public sector information, as reflected in paragraph 6.3 of the Summary by the Chair of the 19<sup>th</sup> session. The Secretariat would potentially report to the Committee on that conference at the 24<sup>th</sup> session, through a written document or a presentation. It would also present a factual summary or report of the International Conference on IP and Development held on the first day of the Committee, as it had done for the previous conference and as requested in the Revised Proposal of the African Group Concerning the Biennial Organization of an International Conference on Intellectual Property and Development. It mentioned that organizing the International Conference within a short timeframe had been a challenge due to internal procedures of the Organization. Hence, it requested the Committee to take a decision at the following session of the Committee or, at the latest, by May 2020, on the topic of the subsequent conference. It further pointed out that the Secretariat would provide a document to the General Assembly on the Contribution of the Relevant WIPO Bodies to the Implementation of the Respective Development Agenda Recommendations, which would be considered by the General Assembly and forwarded to the CDIP. It indicated that it would assist the Bolivian Delegation with its project proposal and present the revised version to the Committee at the following session. Lastly, as regards the approval of the proposal by the Russian Federation on IP and Development in the Digital Environment, the Secretariat would report to the Committee at the 24<sup>th</sup> session in the event that it required additional financial or human resources to undertake the actions contained in the decision. Should there be no need for additional financial or human resources, it would report on those actions at the 25<sup>th</sup> session of the Committee.

382. The Chair requested Member States and Regional Groups to come up with proposed topics for the subsequent International Conference on IP and Development at the 24<sup>th</sup> session of the Committee, in order to allow the Secretariat enough time to organize it.

383. The Committee agreed on the list of future work, given that there were no further comments from the floor.

#### **AGENDA ITEM 11: SUMMARY BY THE CHAIR**

384. 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 delegations to make their comments, if any. Paragraphs 1, 2, 3, 4, 5 and 6 were adopted, given that there were no observations from the floor. He turned to paragraph 7.1.

385. The Delegation of Brazil suggested to add the language “to be reflected in the next Report” or “will be reflected in the next Report” to the second sentence of paragraph 7.1.

386. The Delegation of the United States of America stated that it would prefer not to modify the decision paragraph 7.1 as suggested by the Delegation of Brazil, since there had been a number of recommendations or suggestions made by Member States that had not been discussed and it would be unfair to request the Secretariat to reflect them in the next Director General’s Report.

387. The Delegation of Brazil stated that the language “observations and suggestions made by delegations” in the decision paragraph referred to the suggestion made by the Delegations of South Africa and Brazil in relation to Strategic Goal 2, which should be reflected in the next Director General’s Report.

388. The Delegation of Indonesia, speaking in its national capacity, mentioned that the language of paragraph 7.1 already reflected what the Delegations of Brazil and South Africa had requested. The Secretariat had taken note of the observations and suggestions made by them and it was the responsibility of those Delegations to make sure that the next Director General’s Report reflected them.

389. The Chair mentioned that the comment by the Delegation of Brazil would be reflected in the report of the session and that the expression “the Secretariat took note of the observations and suggestions” meant that the Secretariat would reflect on the suggestions before implementing them.

390. The Delegation of Brazil stated that it would be important to take into consideration the comments by the Delegations of South Africa and Brazil as they showed what the Director General’s Report was missing. It would, however, trust the work of the Secretariat and that the suggestions would be reflected in the next Report.

391. The Chair reiterated that the comment by the Delegation of Brazil would be included in the report of the session and the Delegation would be able to enquire about the inclusion of its suggestions in the future. Paragraph 7.1 was adopted, given that there were no further observations from the floor.

392. Paragraphs 7.2, 7.3, 7.4, 7.5, 7.6, 8.1, 8.2, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6 and 9.7 were adopted, given that there were no observations from the floor. The Chair turned to paragraph 9.8.

393. The Delegation of the United States of America sought clarification on when Member States could put forward new proposals regarding the modalities and implementation strategies for the recommendations of the Independent Review.

394. The Chair pointed out that Annex I of document CDIP/23/8 was a compilation of the inputs of the Member States on modalities and implementation strategies for the Independent Review recommendations and no other new proposals outside of that Annex I could be submitted, with the exception of proposals based on the inputs contained therein.

395. The Delegation of Indonesia, speaking in its national capacity, enquired whether there would be a deadline for Member States to submit new proposals based on the submissions already contained in Annex I of document CDIP/23/8.

396. The Chair stated that his understanding was that, at the 24<sup>th</sup> session, the Committee would discuss the implementation strategies number 1, 2, 3, 4, 7, 13 and 15 and, afterwards, any new proposals that Member States may submit provided that they were based on Annex I of document CDIP/23/8.

397. The Delegation of the United States of America suggested that the Committee set a deadline by which Member States should submit proposals based on Annex I of document CDIP/23/8, as that would allow time for delegations to prepare to discuss the proposals.

398. The Chair stated that in accordance with the rules of procedure, the deadline should be at least two months before the subsequent session of the Committee, that is, by the end of September, 2019.

399. The Delegation of Indonesia, speaking in its national capacity, proposed to include a specific deadline (September 30, 2019) in the decision paragraph, to be consistent with previous Summaries by the Chair.

400. The Chair suggested to set the deadline on September 18, 2019, which would be two months before the following session of the CDIP, to be held from November 18 to 22, 2019.

401. The Delegation of South Africa stated that, since the rules of procedure required that documents be submitted two months before the meeting, there was no need to include a specific date to submit new proposals. The inclusion of a specific date would be inconsistent with previous practice of the Committee.

402. The Delegation of Indonesia, speaking in its national capacity, pointed out that the Committee had established deadlines before in instances where submissions were requested.

403. The Chair proposed to establish September 18, 2019 as deadline to submit new proposals. Paragraphs 9.8, 10.1, 10.2(a), 10.2(b), 10.3, 11, 12 and 13 were adopted, given that there were no further observations from the floor.

## **AGENDA ITEM 12: CLOSING OF THE SESSION**

404. The Chair expressed his appreciation to the Committee, Vice-Chairs, the Secretariat, interpreters and conference services.

405. The Delegation on Guatemala, speaking on behalf of GRULAC, appreciated the work and efforts of the Secretariat and the Chair in the preparation of the session. It recognized the importance of SDGs, which were crosscutting and should continue to be implemented in WIPO's work. It appreciated the presentations made in that session of the Committee and looked forward to the next session, including the approval of the project proposal made by the Plurinational State of Bolivia for Registration of the Collective Marks of Local Enterprises as a Crosscutting Economic Developing Issue. It mentioned the need for a guidebook that would help Member States develop and present new project proposals. GRULAC recognized the Secretariat's approach to the web forum, which would be useful to carry out effective exchange among Member States. It thanked those who made presentations on the agenda item "IP and Development" and was pleased by the approval of the proposal made by the Delegation of the Russian Federation. The Group commended the Delegations and the Regional Groups for their flexibility and valuable contributions during the session.

406. The Delegation of Croatia, speaking on behalf of the CEBS Group, noted with satisfaction the progress achieved during that session of the Committee.

407. The Delegation of Indonesia, speaking on behalf of the APG, welcomed the positive progress made throughout the session. It looked forward to discussing the topic of MSMEs, Innovation and IP under the agenda item "IP and Development" at the following session and the

implementation of the approved proposal by the Russian Federation on IP and Development in the Digital Environment.

408. The Delegation of Romania, speaking on behalf of the EU and its member states, commended the organization of the session of the Committee and the International Conference on IP and Development. It welcomed the outcomes of the session as reflected in the Summary by the Chair and reiterated its commitment in advancing the work of the CDIP.

409. The Delegation of Canada, speaking on behalf of Group B, stated that there had been positive and dynamic engagement on a number of issues in the spirit of multilateralism. The Committee had reached positive outcomes, such as the proposal by the Russian Federation on IP and Development in the Digital Environment and the discussion on modalities and implementation strategies for the adopted recommendations of the Independent Review. It looked forward to the next session of the Committee.

410. The Delegation of China stated that the Committee had made positive progress and it expressed hope that the Committee would continue to make progress in future sessions.

411. The Delegation of Uganda, speaking on behalf of the African Group, expressed its satisfaction with the successful convening of the International Conference on IP and Development and looked forward to the next conference. It welcomed the progress made on most of the substantive items on the agenda and looked forward to a successful and effective implementation of the agreed outcomes, including the DA projects, implementation strategies and modalities for adopted recommendations of the Independent Review, establishment of a web forum on technical assistance and the activities in the proposal by the Russian Federation on IP and Development in the Digital Environment. There remained some outstanding issues and the work of the Committee was an ongoing process, so discussions would continue at the following session. The Group was committed to engaging in a constructive manner on all outstanding issues.

412. The Delegation of Burkina Faso aligned itself with the statement delivered by the Delegation of Uganda on behalf of the African Group. It expressed its gratitude to all the delegations that had supported its project proposal and led to its adoption by the Committee. It reassured the Committee that it would endeavor to ensure the success of the project.

413. The Delegation of the Russian Federation appreciated the support it received from delegations on its proposal as well as the constructive approach during the session in discussing the agenda items. It reiterated that it was determined to work constructively with all Member States and Regional Groups in the future.

414. The Chair expressed his appreciation to everyone for participating during the session.

[Annex follows]

## LISTE DES PARTICIPANTS/ LIST OF PARTICIPANTS

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

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