



**WIPO Roundtable on Fostering South-South and Triangular Cooperation
in the Context of the WIPO Development Agenda**

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THE WIPO DEVELOPMENT AGENDA

- Rationale for the DA : development – orientation
 - IP not an end in itself
 - Trade offs: balance btw IP protection and the public interest: right holders, consumers, competitors
 - Balance rights and obligations in the IP system
 - Policy flexibility to regulate use of exclusive rights and to encourage adoption and diffusion of technical knowledge
 - No “one size fits all” approach
 - Concern on impact of TRIPS plus

THE WIPO DEVELOPMENT AGENDA

- Recognised tensions in WIPO governance
 - Source of self-financing
 - WIPO Convention focused on global IP protection
- and
- WIPO as main TA provider of WTO TRIPS
 - WIPO as specialized agency of the UN system: to facilitate the transfer of technology related to industrial property to the developing countries in order to accelerate economic, social and cultural development

POLICY OBJECTIVES OF IP PROTECTION: TRIPS AGREEMENT

Article 7.

The protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology, to the mutual advantage of producers and users of technological knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations.

POLICY OBJECTIVES OF IP PROTECTION: TRIPS AGREEMENT

Article 8: Principles

1. Members may, in formulating or amending their laws and regulations, adopt measures necessary to protect public health and nutrition, and to promote the public interest in sectors of vital importance to their socio-economic and technological development, provided that such measures are consistent with the provisions of this Agreement.
2. Appropriate measures, provided that they are consistent with the provisions of this Agreement, may be needed to prevent the abuse of intellectual property rights by right holders or the resort to practices which unreasonably restrain trade or adversely affect the international transfer of technology.

THE WIPO DEVELOPMENT AGENDA

- Commitment to mainstream across all WIPO bodies and programmes. Not limited to CDIP
- Encourage new discussion and understanding on the link of IP and development, within WIPO and among member States
- Broaden participation and dialogue to multiple in country agencies (beyond IP offices) and stakeholders
- Technical assistance be more development oriented, member-driven, transparent, neutral, broaden range of experts and agencies involved

HOW WIPO CAN SUPPORT IMPLEMENTATION OF THE DEVELOPMENT AGENDA

- Prioritize strengthening a WIPO level common vision of “Development Orientation”
- Ramp up effort to communicate widely
- Mainstreaming principles of DA recommendations across all programs: continued reporting
- Internal coordination within WIPO Bureau for DA implementation

HOW WIPO CAN SUPPORT IMPLEMENTATION OF THE DEVELOPMENT AGENDA

- Continuity of initiatives
- Clarify distinctiveness of regular technical assistance vis a vis Development Agenda projects
 - Additional resources, beyond budgeted biannually for regular technical assistance
 - Process: demand driven, selection
 - Results
 - Continuity
- Liaison with regional and national WIPO offices
- Role of WIPO Academy

HOW WIPO CAN SUPPORT IMPLEMENTATION OF THE DEVELOPMENT AGENDA

- Continuity of initiatives
- Orientation:
 - Staff expertise: from “IP centric” to “IP and public policy centric”
 - Range of consultants used and topics of study commissioned
 - Diversity of stakeholders and agencies invited to partner
- Support South – South cooperation

SOUTH-SOUTH COOPERATION

- Wide range of experiences and historical trajectories, common contexts
- Leverage resources
- Strengthen regional cooperation
- Sharing of experiences and challenges in determining trade-offs

TRIANGULAR COOPERATION

- South – South – North
- Share principles for development orientation of IP
- Additional resources to support South – South cooperation

HOW WIPO CAN SUPPORT TO SOUTH-SOUTH COOPERATION

- Dedicated program and budget
- Adequate staffing
- South led, demand driven
- High level event: cooperation with UN S-S division, topics suggested by developing countries



SOUTH CENTRE EXPERIENCE FACILITATING SOUTH – SOUTH COOPERATION ON DEVELOPMENT ORIENTED IP SYSTEMS

Thank you!

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