

**[Article 22] [Resolution]
Technical Assistance and Capacity Building**

[(1)] *[Principles]* The Organization shall, subject to availability of resources and with a view to facilitating the implementation of the Treaty, provide technical assistance, in particular to developing countries and Least Developed Countries. Such technical assistance shall

(i) be development-oriented, demand-driven, transparent, targeted and adequate for the strengthening of the capacity of beneficiary countries to implement the Treaty;

(ii) take into account the priorities and the specific needs of receiving countries for enabling the users to take full advantage of the provisions of the Treaty.

(2) *[Technical Assistance and Capacity Building]* (a) Technical assistance and capacity building activities provided under this Treaty shall be for the implementation of this Treaty and, where requested, include¹:

(i) establishing the required legal framework and revising administrative practices and procedures of design registration authorities;

(ii) building up the necessary capacity of the Offices, including but not limited to providing training of human resources, [and providing appropriate equipment and technology as well as the required infrastructure].

(b) The Organization shall provide, subject to [allocation and] availability of resources, financing for [WIPO] activities and measures that are required to implement the Treaty in accordance with paragraph (2)(a), (3)(a) and [Article 24(1)(c)]. [Moreover, the Organization shall seek to enter into agreements with international financing organizations, intergovernmental organizations and governments of receiving countries in order to provide financial support for technical assistance pursuant to this Treaty.]

(3) *[Other Provisions]*² [(a) The World Intellectual Property Organization is urged to expedite the creation of a digital library system for registered designs. Contracting Parties shall endeavor to communicate published registered design information through such system. The Organization shall support Contracting Parties in their efforts to exchange information through this system.]

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¹ The Delegation of the United States of America proposed to insert the words “assistance with” after the word “include”.

² Some delegations were of the opinion that the subject matter of this provision was better suited to a Resolution. Other delegations preferred to have this provision in a separate Article. Other delegations were of the view that this provision should not be in the Treaty.

[(b) Contracting Parties to this Treaty [shall endeavor][are encouraged] to establish a fee reduction system to the benefit of design creators [(natural persons and small and medium enterprises (SMEs))]. [Such fee reduction system if implemented shall apply to those who are nationals of and reside in a developing country or an LDC.]

Note on [Article 22] [Resolution]

The Delegation of Spain said that the terms “the Organization shall” would appear to create an obligation on a third party, i.e., WIPO. Depending on the final format of this provision, this formulation could be further reflected on.

**Article 24
Assembly**

(1) *[Composition]* (a) [...]

[(c) Option 1

[The expenses of each delegation shall be borne by the Contracting Party that has appointed the delegation. The Assembly may ask the Organization to grant financial assistance to facilitate the participation of delegations of Contracting Parties that are regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations or LDCs or that are countries in transition to a market economy.]

Option 2

[Contracting Parties that are regarded as developing countries or LDCs or that are countries in transition to a market economy shall be granted adequate financial assistance by the Organization to facilitate the participation of at least one delegate of such Contracting Party in all ordinary and extraordinary sessions of the Assembly, and any inter-sessional meeting, working group, revision conference or diplomatic conference in relation to the Treaty and the Regulations.]]

(2) *[Tasks]* The Assembly shall

[...]

(v) monitor, at every ordinary session, the technical assistance provided under this Treaty³;

[...]

³ The Delegation of the United States of America proposed the words “technical assistance and capacity building provided for implementation of this Treaty” in place of “the technical assistance provided under this Treaty”.