

***Ad Hoc* Expert Group on Traditional Knowledge and Traditional Cultural Expressions**

Geneva, December 9, 2018

INFORMATION NOTE ON METHODOLOGY AND PROGRAM

Prepared by the International Bureau of WIPO

1. The overall objective of the *ad hoc* expert group on traditional knowledge and traditional cultural expressions is, as indicated in the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (“IGC”) and the Decisions of the Thirty-Seventh Session of the IGC (“IGC 37”), which took place from August 27 to 31, 2018, to address specific legal, policy or technical issues. The results of the work will be reported to and further addressed by the IGC.

2. This Information Note sets out the methodology and program for the *ad hoc* expert group, in accordance with the Decisions taken at IGC 37.

3. A separate Substantive Background Note (document WIPO/EXP/IPTK/GE/18/2) will provide more specific questions and some background information on the list of issues to be addressed, which will be:

(1) Subject matter

- Traditional knowledge
- Traditional cultural expressions

(2) Cross-cutting issues related to traditional knowledge and traditional cultural expressions

- Interface between subject matter, criteria for eligibility and scope of protection
- Scope of protection (including possible “tiered approach”/“differentiated protection”).

4. In general, as indicated in the Decisions of IGC 37, the *ad hoc* expert group will work in a transparent and inclusive way.

Mandate

5. As indicated in the Decisions of IGC 37, the IGC plenary is the negotiating and decision-making body. The *ad hoc* expert group is to support and facilitate the negotiations of the IGC, by providing advice and analysis on the issues to be addressed.

Experts

6. All experts will participate in their personal capacities. The experts nominated to participate in the meeting, in accordance with the Decisions of IGC 37, are listed in the List of Participants for the meeting, document WIPO/EXP/IPTK/GE/18/INF/1.

7. It is proposed that the meeting follow the Chatham House Rule, i.e., “participants are free to use the information received, but neither the identity nor the affiliation of the speakers, nor that of any other participant, may be revealed”.

8. All participants are requested to respect the informality of the *ad hoc* expert group, and not to communicate to the public, whether “live” or at any future time, the content or nature of the discussions taking place in the *ad hoc* expert group, whether in general terms or by way of quoting specific experts.

9. In accordance with the Decisions of IGC 37, the WIPO Secretariat has invited these three experts to participate, also in their personal capacities, in the meeting:

- Ms. Marisella Ouma, Intellectual Property Consultant, Kenya;
- Mr. Pierre El Khoury, Law Professor, La Sagesse Law School, Lebanon; and

- Mr. Bertrand Moullier, Senior Advisor International Affairs, International Federation of Film Producers Associations (FIAPF).

Co-Chairs

10. In accordance with the Decisions of IGC 37, the IGC Chair, Mr. Ian Goss (Australia) has nominated Ms. Marisella Ouma and Mr. Michael Shapiro (Senior Counsel, Office of Policy and International Affairs, United States Patent and Trademark Office) to be the Co-Chairs of the *ad hoc* expert group. Ms. Ouma is one of the experts nominated by the WIPO Secretariat and Mr. Shapiro is one of the experts nominated by Group B.

11. Ms. Ouma and Mr. Shapiro will co-chair the *ad hoc* expert group by introducing the issues and facilitating the discussions.

Reporting to the IGC

12. Ms. Ouma and Mr. Shapiro, in their capacities as the Co-Chairs of the *ad hoc* expert group, or representatives appointed by them, will report to the IGC plenary at IGC 38 on Monday, December 10, on the outcomes and results of the *ad hoc* expert group's work, and their report will be included in the report of IGC 38. The Co-Chairs' report will be prepared and delivered under their own responsibility and authority.

Documents

13. The *ad hoc* expert group may refer to and use all WIPO working documents, including WIPO/GRTKF/IC/38/4 and WIPO/GRTKF/IC/38/5, as well as any other contributions of Member States and materials produced by the WIPO Secretariat.

Program

14. The table below indicates a proposed program for the *ad hoc* expert group, noting that the process should be flexible. The Co-Chairs will adjust the program as they believe appropriate.

Time	Activity
9:00 – 12:00	<ul style="list-style-type: none"> - Opening by the Co-Chairs - Introductions - Subject matter - Cross-cutting issues related to traditional knowledge and traditional cultural expressions
12:00 – 13:30	Lunch Break
13:30 – 16:30	<ul style="list-style-type: none"> - Cross-cutting issues related to traditional knowledge and traditional cultural expressions (continued) - Wrap-up by the Co-Chairs

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