

Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore

Eighteenth Session
Geneva, May 9 to 13, 2011

SUMMARY REPORT OF THE SECOND INTERSESSIONAL WORKING GROUP

Document prepared by the Secretariat

INTRODUCTION

1. The Second Intersessional Working Group (IWG 2) met from February 21 to 25, 2011. At the conclusion of its session, it adopted a “Summary Report of the Second Intersessional Working Group” (WIPO/GRTKF/IC/IWG/2/2) which describes the work undertaken by IWG 2.
2. IWG 2 requested that the Summary Report, including the List of Participants of the said session, be submitted to the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (‘the Committee’) at its eighteenth session (see paragraph 8 of the Summary Report). This present document fulfils that request.
3. The following documents also made available at this session of the Committee are directly related to the present document:
 - (a) “Draft Articles on the Protection of Traditional Knowledge Prepared at IWG 2” (WIPO/GRTKF/IC/18/7); and,

- (b) “Glossary of Key Terms related to Intellectual Property and Traditional Knowledge” (WIPO/GRTKF/IC/18/INF/8).

4. *The Committee is invited to take note of the Summary Report of IWG 2 as contained in the Annex.*

[Annex follows]



WIPO/GRTKF/IWG/2/2
ORIGINAL: ENGLISH
DATE : FEBRUARY 25, 2011

Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore

Second Intersessional Working Group
Geneva, February 21 to 25, 2011

SUMMARY REPORT OF THE SECOND INTERSESSIONAL WORKING GROUP
prepared by the Secretariat

Agenda Item 1: Opening of the session

1. The session was opened by Mr. Johannes Christian Wichard, Deputy Director General, on behalf of the Director General, Mr. Francis Gurry.
2. Mr. Wend Wendland (WIPO) acted as Secretary to the Second Intersessional Working Group (IWG 2).

Agenda Item 2: Election of officers

3. Dr. Ian Heath (Australia) was elected Chair and Professor Yonah Seleti (South Africa), Professor N.S. Gopalakrishnan (India), Ms. Yang Hongju (China) and Ms. Lorena Bolaños (Guatemala) were elected Vice-chairs of IWG 2.

Agenda Item 3: Adoption of the agenda

4. IWG 2 adopted the draft agenda (WIPO/GRTKF/IWG/2/1 Prov.) as its agenda without modifications.

Agenda Item 4: Traditional knowledge

5. With reference to document WIPO/GRTKF/IC/18/5 Prov., IWG 2 extensively discussed each of the draft articles contained therein. That discussion took place in plenary on Monday, February 21 and Tuesday, February 22, 2011.
6. After that discussion in the plenary of IWG 2, six informal, open-ended drafting groups were established to further discuss, exchange and consolidate the various views expressed in the plenary, and to propose streamlined text, including options, comments and scenarios. Those drafting groups were established to address one or more issues as set out in the Annex to the present document. The work of the drafting groups was coordinated, during a meeting on the evening of Wednesday, February 23, 2011, between the Chair of IWG 2 and the Conveners and Rapporteurs of the drafting groups, as well as the Vice-Chairs of IWG 2, after which, on the morning of Thursday, February 24, 2011, the drafting groups had a further opportunity to review their respective article or articles. Thereafter, each drafting group's article(s) were presented to and discussed by all the experts in the IWG 2 plenary in the afternoon of Thursday, February 23, 2011 and on Friday, February 25, 2011. The draft articles and comments, including specific texts suggested by experts, were noted by IWG 2 and not adopted as such.
7. IWG 2 requested the Secretariat to prepare, for the next session of the IGC (May 9 to 13, 2011), a document (WIPO/GRTKF/IWG/2/3) incorporating the draft articles prepared by the informal drafting groups, as well as the comments and texts proposed by the individual experts in the IWG 2 plenary on February 24 and 25, 2011 as referred to in paragraph 6 above, with attribution and including comments made by experts representing observers.
8. IWG 2 also requested that the present document (WIPO/GRTKF/IWG/2/2), to which should be attached the List of Participants of IWG 2, be submitted to the IGC at its next session.
9. IWG 2 noted the "Glossary of Key Terms related to Intellectual Property and Traditional Knowledge" (WIPO/GRTKF/IWG/2/INF/2) and requested that it be transmitted as an information document to the next session of the IGC.

Agenda Item 5: Any other business

10. There was no discussion under this agenda item.

Agenda item 6: Adoption of report

11. IWG 2 adopted this summary report on February 25, 2011.

Agenda item 7: Closing of the session

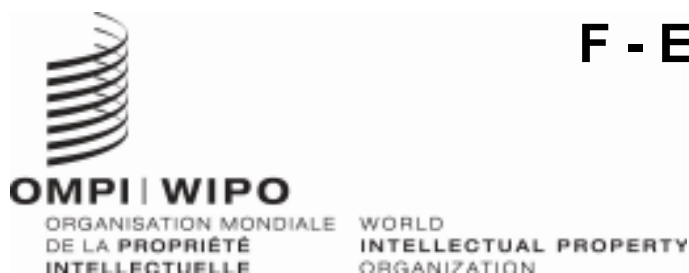
12. The Chair thanked all the experts for their active participation and dedication and closed the session.

[Annexes follow]

Open-ended, informal drafting groups at IWG 2

- Group 1: Scope of Subject Matter
- Group 2: Beneficiaries (including the question of Transboundary Traditional Knowledge)
- Group 3: Scope of Protection
- Group 4: Exceptions and Limitations; Sanctions, Remedies and Enforcement (including the question of Dispute Resolution).
- Group 5: Administration of Rights; Duration of Protection; Formalities
- Group 6: Transitional Measures; Consistency with the General Legal Framework; International and Regional Protection.

[Annex II follows]



WIPO/GRTKF/IWG/2/INF/1
ORIGINAL: FRANÇAIS/ENGLISH
DATE: 28 FÉVRIER 2011/FEBRUARY 28, 2011

**Comité intergouvernemental de la propriété intellectuelle
relative aux ressources génétiques, aux savoirs traditionnels et
au folklore**

Deuxième groupe de travail intersessions

Genève, 21 – 25 février 2011

**Intergovernmental Committee on Intellectual Property and
Genetic Resources, Traditional Knowledge and Folklore**

Second Intersessional Working Group

Geneva, February 21 to 25, 2011

LISTE DES PARTICIPANTS/

LIST OF PARTICIPANTS

établie par le Secrétariat/

prepared by the Secretariat

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(dans l'ordre alphabétique des noms français des États)
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Assembly of First Nations

Violet FORD (Ms.) (Ottawa)

Association internationale pour la protection de la propriété intellectuelle (AIPPI)/
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