ANNEX

Policy objectives & core principles on protection of TCEs/folklore
Draft for IGC consideration: WIPO/GRTKF/IC/7/3 at IGC request (WIPO/GRTKF/IC/6/14 para 66)

Draw on existing principles, regional and national positions, statements to the IGC, WIPO/GRTKF/IC/6/3 & WIPO/GRTKF/IC/6/4, and complement proposed frameworks such as WIPO/GRTKF/IC/6/12 (African Group proposal). Two distinct sets of principles and objectives, but the holistic aspect of traditional communities’ concerns & interests means some apply in parallel to both TK & TCEs. Respect existing international legal and policy framework for genetic resources (notably CBD and FAO International Treaty).

At level of principle

Mechanisms for recognition of IP protection of TK/TCEs in foreign jurisdictions based on core principles (WIPO/GRTKF/IC/6/6); included in substantive material on TK/TCEs (as agreed by IGC: WIPO/GRTKF/IC/6/14, para 231)

At level of practical implementation

Policy options & legal mechanisms for protection of TCEs/folklore
Draft for IGC consideration: WIPO/GRTKF/IC/7/4 at IGC request (WIPO/GRTKF/IC/6/14 para 66).
Means of giving practical effect to objectives and principles at level of national/regional laws; draws on IGC surveys, reports, panel presentations, discussion and analysis (e.g. WIPO/GRTKF/IC/6/3), and based on existing Member State experience, including national and regional laws for protection of TCEs/folklore, as well as existing international instruments.

Policy options & legal mechanisms for protection of TK
Draft for IGC consideration: WIPO/GRTKF/IC/7/5 at IGC request (WIPO/GRTKF/IC/6/14 para 109)

OVERVIEW OF MATERIALS FOR AN ACCELERATED IGC WORK PROGRAM 2004-2005

Policy options & legal mechanisms for protection of TK
Draft for IGC consideration: WIPO/GRTKF/IC/7/6 at IGC request (WIPO/GRTKF/IC/6/14 para 109)
Means of giving practical effect to objectives and principles at level of national/regional laws; draws on IGC surveys, reports, panel presentations, discussion and analysis (e.g. WIPO/GRTKF/IC/6/4), and based on existing Member State experience.

Defensive measures for TK protection
1. Guidelines & recommendations on recognition of traditional knowledge in patent examination WIPO/GRTKF/IC/7/8, work approved by IGC VI.
2. Further defensive measures under development WIPO/GRTKF/IC/7/7, WIPO/GRTKF/IC/6/8
*: See also related work on patent disclosure under genetic resources agenda item (also relevant to TK).

Measures on IP & genetic resources
1. Practical guidelines on IP aspects of access & benefit-sharing arrangements (WIPO/GRTKF/IC/7/9) (based on principles agreed at earlier IGC sessions, draft considered at IGC VI - WIPO/GRTKF/IC/6/5)
2. Disclosure mechanisms for genetic resources used in inventions Building on existing technical study Proposals for guidelines & recommendations put to IGC V & VI; related CBD invitation pending decision.
*: both materials also deal with TK related to genetic resources