

知识产权与遗传资源、传统知识和民间文学艺术 政府间委员会

第二十五届会议

2013年7月15日至24日，日内瓦

认可若干组织与会

秘书处编拟的文件

1. 知识产权与遗传资源、传统知识和民间文学艺术政府间委员会(“委员会”)在2001年4月30日至5月3日于日内瓦举行的第一届会议上批准了若干组织和程序事项，其中包括给予希望参与委员会工作的若干组织临时观察员地位(见委员会通过的报告WIPO/GRTKF/IC/1/13第18段)。

2. 此后，另有若干组织向秘书处表示，希望以相同地位参加委员会今后的会议。本文件附件为2013年5月22日前申请获认可出席委员会第二十五届会议的各组织的名称和其他详情。提出申请的组织均被要求填写了申请表，附件中所载的各组织详情，均按从各该组织所收到的原文照登。

3. 请委员会批准认可本文件附件中所
述的各组织作为临时观察员与会。

[后接附件(英文)]

要求获认可作为观察员参加政府间委员会会议的组织

Australian Centre for Intellectual Property in Agriculture (ACIPA)

ARTICLE 19

Association Santé Éducation Démocratie (ASED)

Conseil International des Organisations de Festivals de Folklore et d'Arts Traditionnels (CIOFF)

Terri Janke and Company Pty Ltd

Al-Zain Organization for Intellectual Property

Australian Centre for Intellectual Property in Agriculture (ACIPA)

To: Traditional Knowledge Division
World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Fax: +41 (0) 22 338 81 20
Email: grtkf@wipo.int

Dear Traditional Knowledge Division,

Re: Request for accreditation as an observer in future sessions of the WIPO Intergovernmental Committee

I am writing to express the wish of my organization to participate in the sessions of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore as an ad hoc observer. Please find our application attached for the Committee's consideration.

Please do not hesitate to contact us if you require any further information.

Yours sincerely,

Professor Brad Sherman

(Name and Signature of Representative)

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Application Form for Accreditation as Ad Hoc Observer to the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore^{1,2}

BIOGRAPHICAL DETAILS OF THE APPLICANT ORGANIZATION

Full name of the Organization:

Australian Centre for Intellectual Property in Agriculture (ACIPA)

Description of the Organization: (maximum 150 words)

The Australian Centre for Intellectual Property in Agriculture (ACIPA) is based at Griffith University and The Australian National University. The Director, Professor Brad Sherman, is based at Griffith University.

The Centre aims to engage in innovative, independent and critical research, whilst remaining focused on the development of pragmatic and workable solutions.

The Centre holds conferences and seminars in Brisbane and Canberra, runs a number of Intellectual Property Training Workshops for the grains, horticulture and rural industries throughout Australia, and has a team of active researchers.

Main aims and objectives of the Organization: (Please use a bulleted list)

- Carry out cutting edge research on the relationship between intellectual property, development and human rights;
- Build greater awareness of the relationship between IP, agriculture and food security
Strengthen role of academic research in the development of sound national and international law and policy; and
- Consolidate the role of ACIPA and Griffith Law School as centers of excellence in the research of intellectual property and human rights.

Please do not enclose any attachment with your application.

¹ Please note that the decision on accreditation will not be made by the Secretariat, but by the Member States at the beginning of the session of the Intergovernmental Committee. It is therefore possible that certain organizations may not receive accreditation. Therefore, if the requesting organization is not based in Geneva, it might not be advisable to travel to Geneva for the sole purpose of participating in the session of the Committee until accreditation has been granted.

² Please note that this application form may be presented to the Committee exactly in the form received. Please therefore, as far as possible, complete the form using a type-writer or word processor. The completed form should preferably be emailed to grtkf@wipo.int

Main activities of the Organization: (Please use a bulleted list)

- Research;
- Capacity building;
- Conduct conferences, workshops seminars and symposiums;
- Run masterclasses;
- Provide industry fact sheets; and
- Provide training.

Relationship of the Organization with intellectual property matters, including a full explanation of why you are interested in the issues under discussion by the Committee (Maximum 150 words)

ACIPA is an internationally recognised centre of excellence for research on intellectual property, agrobiodiversity and human rights. Based at the Law School of Griffith University the Centre is responsible for cutting edge research on a wide range of IP related issues, including IP and food security, national and international law of patents, copyright and plant breeders rights, as well as issues of open access and the public domain, traditional knowledge and genetic resource rights, labels of authenticity, geographical indicators of origin, copyright and protection of traditional cultural expressions, bioprospecting, disclosure of origin and compliance mechanisms, and the history of IP in agriculture and in natural products markets.

ACIPA is currently collaborating in of a number projects direct relevance to the Committee. This includes:

- publication of a study on the role of customary law in TK Governance;
- organisation in collaboration with IDDRI and ICTSD, of the first experts consultative meeting on Protection of TK, in Geneva on the 19 and 20 of April prior to IGC 24; and
- publishing monographs, edited volumes and journal articles relevant to the governance of TK, TCE and genetic resources.

Country in which the Organization is primarily active:

Australia

Additional Information:

Please provide any additional information which you feel may be relevant (maximum 150 words)

ACIPA has been closely linked to the work of the IGC since its inception. Anthony Taubman who guided the WIPO Secretariat to the IGC during his time at WIPO has been a member of ACIPA since 2001 originally as a full member and later as an adjunct research fellow, a position he holds to the present time. ACIPA is now seeking to participate more actively in the work of the IGC in the hope of helping build greater awareness and exchange of information on relevant cutting edge academic research and advances in the development of international regulation in this area. This we hope to do through promotion and diffusion of cutting edge research, by facilitating informal discussions among key rightsholders and stakeholders and through national, international and local capacity building workshops and side events.

Full contact details of the Organization:

Postal address:
Australian Centre for Intellectual Property in Agriculture
Griffith Law School, Griffith University
Nathan QLD 4111
Australia

Telephone number: +61 7 3735 3747
Email address: acipa@griffith.edu.au
Web site: <http://www.acipa.edu.au/>

Name of Organization Representative and Title:

Professor Brad Sherman, Director

/...

ARTICLE 19

To: Traditional Knowledge Division
World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Fax: +41 (0) 22 338 81 20
Email: grtkf@wipo.int

Dear Traditional Knowledge Division,

Re: Request for accreditation as an observer in future sessions of the WIPO Intergovernmental Committee

I am writing to express the wish of my organization to participate in the sessions of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore as an *ad hoc* observer. Please find our application attached for the Committee's consideration.

Please do not hesitate to contact us if you require any further information.

Yours sincerely,

Gabrielle Guillmin

(Name and Signature of Representative)

/...

Application Form for Accreditation as *Ad Hoc* Observer to the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore^{1,2}

BIOGRAPHICAL DETAILS OF THE APPLICANT ORGANIZATION

Full name of the Organization:

ARTICLE 19

Description of the Organization: (maximum 150 words)

ARTICLE 19 is an international human rights organization that defends the right to freedom of expression and freedom information globally. Established in 1987, it takes its name from Article 19 of the Universal Declaration of Human Rights. ARTICLE 19 defends and promotes freedom of expression at structural and policy levels, including at international and national level, and through engaging and working with grass-root organizations as well as national and local authorities. With an international office in London, and regional offices in Bangladesh, Brazil, Kenya, Mexico, Senegal and Tunisia, and in collaboration with 50 partners across the world, ARTICLE 19 strengthens national capacities, builds and reforms institutions and policies to protect media freedom, transparency and the free flow of information, and works to strengthen national capacity to protect and promote freedom of expression globally.

Main aims and objectives of the Organization: (Please use a bulleted list)

ARTICLE 19's mission is to promote, protect, develop and fulfill the right to freedom of expression and the free flow of information and ideas in order to strengthen global social justice and empower people to make autonomous choices. The organization has 4 strategic goals.

- Strategic Goal One: Protecting freedom of expression (FOE) in a multi-polar world: contributing to halting freedom of expression setbacks, engaging with the emerging global powerful economies (including China, India and Brazil) and re-enforcing the regional and international policy architecture for human rights protection and the fight against poverty through a focus on freedom of the press, transparency and the free flow of information;

Please do not enclose any attachment with your application.

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- Strategic Goal Two: Enhance FOE and transparency in a networked world: harnessing the power of information and communication technologies (ICTs) and media to strengthen the free flow of information and media diversity, by ensuring that FOE principles, including that of universal access, are fully integrated into laws and policies;
- Strategic Goal Three: End Impunity and Protect the Universal value of FOE: strengthening the role and effectiveness of institutions which are meant to safeguard accountability and ensuring that State and Non-State Actors are held accountable for abusing freedom of the press, freedom of expression and transparency standards; achieving real legal breakthrough in the fight against impunity; and
- Strategic Goal Four: Strengthen FOE in an era of scarcity: ensuring that freedom of expression, freedom of the press and the free flow of information are well integrated in key global policy developments, including those related to development and the fight against poverty; empowering people living in poverty and their CSOs to access information they need to advocate for better services and thus tackle some of the root causes and consequences of poverty.

Main activities of the Organization: (Please use a bulleted list)

- ARTICLE 19 monitors, researches, publishes, campaigns, sets standards and litigates to protect the right to freedom of expression wherever it is threatened;
- It provides expertise on international human rights standards and analyses legislation that engages the right to freedom of expression, including online;
- It campaigns to safeguard media pluralism, independence and diversity of views;
- It promotes the right to know of poorer communities and advocates for the implementation of freedom of information legislation to ensure transparency and strengthen citizens' participation; and
- It champions freedom of expression, including freedom of information, as a fundamental human right that is also central to the protection of other rights, such as the rights to health, to a clean environment, and to justice.

Relationship of the Organization with intellectual property matters, including a full explanation of why you are interested in the issues under discussion by the Committee (Maximum 150 words)

ARTICLE 19 monitors legislative and jurisprudential developments involving intellectual property rights, the licensing of digital information and their effect on the right to freedom of expression and other fundamental rights. ARTICLE 19 has significant experience in ICT and copyright-related issues. Notably:

- We intervened with Consumer Focus in a legal challenge to the UK Digital Economy Act; produced a detailed analysis of the fundamental rights implications of ACTA and sent letters to MEPs to protest against this agreement in December 2011;
- Together with 49 other organizations, we denounced PIPA/SOPA in the US and joined thousands of websites in the blackout campaign of Wednesday 18 January 2012;
- In April 2013, we launched "*The Right to Share: Principles on Freedom of Expression and Copyright in the Digital Age*", developed in cooperation with international experts. The Principles seek to establish a framework that can be used to ensure that the right to freedom of expression and the ability to share knowledge and culture are fully protected, and that copyright interests do not unduly restrict them; and
- We regularly issue press releases, statements and legal analyses on copyright-related issues, including in the Meltwater case (concerning browsing and temporary copies in

the UK) and the Pirate Bay case concerning criminal sanctions for copyright infringement in the European Court of Human Rights.

Being an ad-hoc observer at WIPO would allow ARTICLE 19 to ensure that the right to freedom of expression and freedom of information is at the heart of the progressive development and harmonization of intellectual property laws, standards, and practices among WIPO's member states.

Country in which the Organization is primarily active:

ARTICLE 19 has its international office in London, UK. It has regional offices in Kenya, Mexico, Senegal, Brazil, Tunisia, and Bangladesh.

Additional Information:

Please provide any additional information which you feel may be relevant (maximum 150 words)

Full contact details of the Organization:

Postal address:

ARTICLE 19
Free Word Centre
60 Farringdon Road
London EC1R 3GA United Kingdom

Telephone number: 0044 20 7324 2500

Fax number: 0044 20 7490 0566

Email address: info@article19.org or gabrielle@article19.org for Internet policy enquiries.

Web site: www.article19.org

Name of Organization Representative and Title:

ARTICLE 19 is governed by an International Board of Trustees consisting of:

- Galina Arapova, Director, Mass Media Defence Centre, Russia
- Lydia Cacho, Journalist, Mexico
- Evan Harris, Politician, Liberal Democrats, UK
- Liz Kennedy, Human Resources Advisor, UK
- Malak Poppovic, Executive Director, Conectas Direitos Humanos, Brazil
- Nigel Saxby-Soffe (Treasurer)
- Catherine Smadja (Chair), Head of Special Projects, Policy & Strategy, BBC, UK The Executive Director is Dr Agnès Callamard (since 2004)

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Association Santé Éducation Démocratie (ASED)

À : Division des savoirs traditionnels
Organisation Mondiale de la Propriété Intellectuelle (OMPI)
34, chemin des Colombettes
1211 Genève 20
Suisse

Tlcp. : +41 (0) 22 338 81 20
Mél. : grtkf@wipo.int

Objet : Demande d'accréditation en qualité d'observateur pour les sessions à venir du Comité intergouvernemental de la propriété intellectuelle relative aux ressources génétiques, aux savoirs traditionnels et au folklore

Madame, Monsieur,

J'ai l'honneur de vous informer que mon organisation souhaite participer en qualité d'observateur ad hoc aux sessions du Comité intergouvernemental de la propriété intellectuelle relative aux ressources génétiques, aux savoirs traditionnels et au folklore. Veuillez trouver ci-joint les renseignements biographiques de mon organisation nécessaire à l'examen de cette demande d'accréditation par le comité.

Nous restons à votre entière disposition pour tout complément d'information.

Veuillez agréer, Madame, Monsieur, l'assurance de ma considération distinguée.

Moussa Kanta Ibrahim
Président de l'ONG

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Formulaire de demande d'accréditation en qualité d'observateur ad hoc auprès du Comité intergouvernemental de la propriété intellectuelle relative aux ressources génétiques, aux savoirs traditionnels et au folklore^{1, 2}

RENSEIGNEMENTS BIOGRAPHIQUES DE L'ORGANISATION POSTULANTE

Nom complet de l'organisation :

Association-Santé-Education-Démocratie (ONG ASED)

Description de l'organisation : (150 mots au maximum)

Il est créé en république du Niger dans la région d'Agadez conformément à la réglementation en vigueur notamment l'ordonnance N° 84 /06 du 1^{er} MARS 1984 portant régime des ONG et ASSOCIATIONS, modifiée et complétée par la loi N° 91-006 du 20 mai 1991 une ONG dénommée : Association – Santé – Education - Démocratie (ONG - ASED). ASED est apolitique, non confessionnel et à but non lucratif. Son siège est basé à Agadez .Il peut être transféré en tout autre lieu du territoire nigérien sur décision de l'assemblée générale.

La durée de vie d'ASED est de 99 ans. L'Organisation Non Gouvernementale ASED est à but non lucratif. Elle se donne pour mission de mettre en œuvre des projets dans le domaine de l'éducation, de la santé, de l'environnement et de droit de l'homme et la démocratie en vue de l'atténuation de la pauvreté, sur toute l'étendue du territoire.

Veillez énumérer les principaux objectifs de votre organisation :

L'ONG ASED se fixe comme objectifs :

- Promouvoir le droit de l'homme et la démocratie;
- Contribuer à la réalisation d'un développement durable;
- Contribuer à la promotion de la santé;
- Contribuer à la promotion de l'éducation;
- Protéger et préserver l'environnement; et
- Contribution à la promotion de la culture.

Merci de ne joindre aucun document à votre demande d'accréditation

¹ Veillez noter que la décision concernant l'accréditation ne sera pas prise par le Secrétariat mais par les États membres au début de la session du comité intergouvernemental. Il est donc possible que certaines organisations ne reçoivent pas d'accréditation. Par conséquent, si le siège de l'organisation postulante ne se trouve pas à Genève, il est déconseillé de se déplacer jusqu'à Genève dans le seul but de participer à la session du comité tant que l'accréditation n'a pas été accordée.

² Veillez noter que cette demande sera présentée au comité telle qu'elle sera reçue. Ainsi, prier de remplir le formulaire en utilisant une machine à écrire ou un ordinateur et de l'envoyer à l'adresse électronique grtkf@wipo.int

Veillez énumérer les principales activités de l'organisation :

Les domaines d'intervention de l'ONG ASED sont :

- A. Santé;
- B. Education;
- C. Environnement;
- D. Agricole;
- E. Droit de l'homme et la démocratie;
- F. La C.C.C (Communication pour un changement de comportement); et
- G. Développement durable.

Lien entre l'organisation et les questions de propriété intellectuelle et exposé détaillé des raisons pour lesquelles vous êtes intéressés par les questions examinées par le comité :
(150 mots au maximum)

L'ONG ASED joue un rôle très important dans la protection des valeurs traditionnelles, les ressources génétiques (ou expressions du folklore) et la diversité culturelle des peuples autochtones qu'elle représente et surtout ce un atout économique pour cette communauté et le pays, comme l'OMPI qui joue le rôle dans la protection des savoirs traditionnels et des expressions culturelles traditionnelles contre toute appropriation illicite, ainsi que dans la création et le partage équitable des avantages découlant de leur commercialisation. La diversité culturelle et traditionnelle des sociétés dans le monde depuis les origines de l'humanité est surtout une caractéristique du monde moderne dit globaliser. Cette biodiversité des valeurs traditionnelle a des conséquences politiques et économiques dans le développement des Etats dans le monde. Ainsi, des actions spécifiques de promotion et de protection sont nécessaires pour la protection de ses valeurs propres à chaque nations du monde.

Les jeunes constituent le pivot de l'immigration et vecteur de l'ensemencement et de la valeur ajoutée des ressources génétiques, savoirs traditionnels dans nos sociétés. Les jeunes peuvent encourager la création des réseaux interculturels pour le développement et la diffusion des connaissances pour le renforcement des relations inter citoyens; et cela par des actions de sensibilisations pour la promotion de partage d'une véritable culture de la paix.

Pays dans lequel l'organisation exerce l'essentiel de ses activités :

République du Niger

Informations supplémentaires :

Veillez fournir toute information supplémentaire que vous jugez utile (150 mots au maximum).

Notre participation en tant que observateur aux travaux de l'OMPI renforcera sans doute nos capacités dans la connaissance de la profondeur des savoirs traditionnels, les ressources génétiques et les expressions culturelles traditionnelles (ou expressions du folklore) qui constituent des atouts économiques et culturels pour les communautés autochtones et locale, elle nous permettra de faire des rencontres avec lesquelles nous pouvons échanger et exprimer nos valeurs profondes et ses différences culturelles.

Cet enrichissement mutuel est une expérience et une base fondamentale qui nous permettra de faire sans doute, une restitution à notre ONG ; de former les membres sur les valeurs de la

diversité culturelle et linguistique et ensuite contribuer à la formation et au développement de la communauté qu'elle représente.

Toutes ces actions pour lesquelles l'organisation s'engage, s'inscrivent dans le cadre de la recherche d'un développement endogène aux populations.

L'organisation vise à apporter son concours dans le domaine éducatif en sensibilisant les populations pour une prise de conscience dans la prévention et la protection des valeurs traditionnelles. L'Etat ne pouvant tout garantir à son peuple, les populations ont le devoir de participer à certaines œuvres d'intérêt commun.

L'ONG ASED compte entreprendre des vastes campagnes de communication (débat radio, conférence débat, causerie) à l'endroit de toute les différentes couches de la population afin de les amener à comprendre et à accepter la nécessité de préserver, conserver et restaurer l'environnement et nos valeurs traditionnelles.

Coordonnées complètes de l'organisation :

ONG ASED (Association-Santé-Education-Démocratie)
BP : 271
Agadez-NIGER
Tel.: +227 96 05 36 21 ou +227 94 74 81 94
Email: ong_asedniger@yahoo.fr

Nom et titre du représentant de l'Organisation :

Moussa Kanta Ibrahim
Président de l'ONG

/...

Conseil International des Organisations de Festivals de Folklore et d'Arts Traditionnels (CIOFF)
(International Council of Organizations of Folklore Festivals and Folk Arts)

To: Traditional Knowledge Division
World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Fax: +41 (0) 22 338 81 20

Email: grtkf@wipo.int

Dear Traditional Knowledge Division,

Re: Request for accreditation as an observer in future sessions of the WIPO Intergovernmental Committee

I am writing to express the wish of my organization to participate in the sessions of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore as an *ad hoc* observer. Please find our application attached for the Committee's consideration.

Please do not hesitate to contact us if you require any further information.

Yours sincerely,

Philippe BEAUSSANT
CIOFF® Secretary General.

(Name and Signature of Representative)

/...

Application Form for Accreditation as *Ad Hoc* Observer to the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore^{1,2}

BIOGRAPHICAL DETAILS OF THE APPLICANT ORGANIZATION

Full name of the Organization:

Conseil International des Organisations de Festivals de Folklore et d'Arts Traditionnels (CIOFF)
(*International Council of Organizations of Folklore Festivals and Folk Arts*)

Description of the Organization: (maximum 150 words)

At present CIOFF® Worldwide Membership covers over 90 countries of the World, with 68 National Sections (Full Members), 3 associate members and 23 corresponding members. It is estimated that over 1 million people, including over 30000 folklore dance and music groups and folk arts organizations are associated with CIOFF® through their CIOFF® National Sections Worldwide.

CIOFF® has successfully carried out its activities in the field of preserving, disseminating and promoting folklore and traditional arts throughout the years of its existence. CIOFF® has developed and has progressed to become globally recognized as an NGO in official partnership with UNESCO and received accreditation to provide advisory service to the Committee of the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage (ICH) in 2012.

CIOFF® has been striving and will continue to strive to expand its range of activities, in order to promote international co-operation for the safeguarding and dissemination of expressive cultural heritage through CIOFF® international festivals and other cultural events.

Main aims and objectives of the Organization: (Please use a bulleted list)

The primary focus of CIOFF® has been and continues to be the development of such festivals and events The international folklore festivals network, which has been established since 1970, has now reached its full maturity. Today CIOFF globally coordinates approximately 320 international folklore and folk arts festivals each year. This offers great opportunity for interchange among 50,000 intangible heritage artists from all continents, in order to promote friendship, to blend the pursuit of peace with appreciation and gratitude for cultural diversity, as well as to rejoice in each other's folklore and folk arts as representative of a culture of peace,

Please do not enclose any attachment with your application.

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and to thereby help promote the cause of peace among all people and nations. CIOFF® adheres fully to UNESCO's principles for peace and international understanding.

Main activities of the Organization: (Please use a bulleted list)

- Over 320 International Folklore Festivals, including 34 International Children's Festivals;
- 1500 Traditional Arts & Crafts Exhibitions;
- 5000 Traditional Dance, Music, Songs and Crafts Workshops;
- Seminars;
- Conferences;
- CIOFF® World Folkloriada (every 4 years);
- Participation in UNESCO programmes;
- CIOFF® Youth Movement;
- CIOFF® Publications;
- CIOFF® World Congress and General Assembly;
- CIOFF® International Cultural Conference; and
- CIOFF® International Open Forum.

Relationship of the Organization with intellectual property matters, including a full explanation of why you are interested in the issues under discussion by the Committee (Maximum 150 words)

Since 1970 CIOFF® has been working towards safeguarding and dissemination of folklore and traditional cultures:

- Promoting the intangible cultural heritage through dance, music, songs, games, rituals, ceremonies, customs, traditional crafts, costumes and food;
- Contributing to preservation of cultural identity throughout the world;
- Implementing its Policy on Transmission of Cultural Heritage to Children;
- Supporting the activities of its members in the areas of folklore and traditional culture;
- Serving the cause of peace and non-violence through international cultural cooperation;
- Implementing the UNESCO Programs related to traditional cultures; and
- Cooperate with UNESCO as an NGO and will fulfill its obligations, especially in the cultural field (Intangible Cultural Heritage (ICH), Cultural Diversity etc.). Compiling the "Directory of Experts in Folklore and Intangible Cultural Heritage".

Country in which the Organization is primarily active:

90 countries from all over the world: www.cioff.org

Full contact details of the Organization:

Postal address:

CIOFF (Cultures Croisées en Ile de France) 167 boulevard de la Villette – 75010 PARIS

Telephone number: 0033153384720

Fax number:

Email address: info@cioff.org

Web site: www.cioff.org

Name of Organization Representative and Title:

PHILIPPE BEAUSSANT, CIOFF® Secretary General

/...

Terri Janke and Company Pty Ltd

To: Traditional Knowledge Division
World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Fax: +41 (0) 22 338 81 20
Email: grtkf@wipo.int

Dear Traditional Knowledge Division,

Re: Request for accreditation as an observer in future sessions of the WIPO Intergovernmental Committee

I am writing to express the wish of Terri Janke and Company to participate in the sessions of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore as an *ad hoc* observer. Please find our application attached for the Committee's consideration.

Should our application be successful, we intend on sending a representative to the 25th session of the WIPO IGC from 15 to 24 July, 2013.

Please do not hesitate to contact us if you require any further information, please contact Peter Dawson, Paralegal, peter@terrijanke.com.au.

Yours sincerely,

Terri Janke

Solicitor Director
Terri Janke and Company Pty Ltd

(Name and Signature of Representative)

/...

Application Form for Accreditation as *Ad Hoc* Observer to the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore^{1,2}

BIOGRAPHICAL DETAILS OF THE APPLICANT ORGANIZATION

Full name of the Organization:

Terri Janke and Company Pty Ltd

Description of the Organization: (maximum 150 words)

Terri Janke and Company is an Australian law firm which is 100% Indigenous owned that specialises in Indigenous Cultural and Intellectual Property (ICIP). Terri Janke is widely recognised as an international expert on the topic.

The firm provides intellectual property advice to a range of Indigenous clients from composers, writers, film directors, artists, small business owners and traditional knowledge holders. We also provide advice to government departments, non-Indigenous people and companies seeking to work with ICIP. The firm also plays a significant advocacy role both in Australia and internationally for the recognition and protection of ICIP rights.

Main aims and objectives of the Organization: (Please use a bulleted list)

- Empower Indigenous clients with the skills and tools to protect and develop their knowledge, cultural expressions and genetic resources;
- Promote the appropriate use of ICIP by non-Indigenous people and organisations in accordance with the principles of free, prior and informed consent; benefit sharing; respect for cultural beliefs; attribution; and cultural integrity; and
- Advocate for legal and policy reform to protect ICIP.

Main activities of the Organization: (Please use a bulleted list)

- Providing legal advice to Indigenous people and organisations in the areas of copyright, trademarks, patents, designs, contracts, employment, mediation and ICIP;
- Providing legal advice, models and agreements for dealing with museum management issues, heritage sites, arts, language use and recording; traditional knowledge of plants and animals and its use in bio-prospecting, publishing and other domains;

Please do not enclose any attachment with your application.

¹ Please note that the decision on accreditation will not be made by the Secretariat, but by the Member States at the beginning of the session of the Intergovernmental Committee. It is therefore possible that certain organizations may not receive accreditation. Therefore, if the requesting organization is not based in Geneva, it might not be advisable to travel to Geneva for the sole purpose of participating in the session of the Committee until accreditation has been granted.

² Please note that this application form may be presented to the Committee exactly in the form received. Please therefore, as far as possible, complete the form using a type-writer or word processor. The completed form should preferably be emailed to grtkf@wipo.int

- The development of protocols for the respectful use of ICIP, including:
 - Kimberley Land Council, IP and TK Policy (2011);
 - Australia Council for the Arts *Protocols for Producing Indigenous media arts, performing arts, visual arts, writing and music* (2008); and
 - Screen Australia *Pathways & Protocols: a filmmaker's guide to working with Indigenous people* (2009)
 - Papers and submissions on legal and policy reform to protect ICIP including the recent publication *New Tracks: Indigenous knowledge and cultural expression and the Australian intellectual property system* (Janke and Dawson) (http://www.australiacouncil.gov.au/data/assets/pdf_file/0003/144831/New_Tracks_Janke_Dawson_FINAL.pdf).

Relationship of the Organization with intellectual property matters, including a full explanation of why you are interested in the issues under discussion by the Committee (Maximum 150 words)

The 25th session of the WIPO IGC will focus on traditional cultural expressions and finalising three draft international agreements to protect Indigenous Cultural and Intellectual Property. Terri Janke and Company has considerable experience working in this area, as outlined above.

We are interested in the issues under discussion by the WIPO IGC primarily for their impact on the Australian legal and policy landscape. Terri Janke and Company is currently engaging with other Australian representatives who will be attending WIPO IGC 25, to consider outstanding issues in the Draft Articles on the Protection of Traditional Cultural Expressions. We are also considering options for the formation of an Australian body to act as a 'Competent National Authority' under the Draft Articles on the Protection of Traditional Cultural Expressions.

Country in which the Organization is primarily active:

Australia

Additional Information:

Please provide any additional information which you feel may be relevant (maximum 150 words)

Terri has written a number of publications on ICIP in the Australian context including *Our Culture: Our Future* (1998), *Beyond Guarding Ground: The Case for a National Indigenous Cultural Authority* (2009) and *New Tracks: Indigenous Knowledge and Cultural Expression in the Australian Intellectual Property System* (2012).

The WIPO has previously commissioned Terri Janke to research and write *Minding Culture: Case Studies on Intellectual Property and Traditional Cultural Expressions* (2003) and *Intellectual Property Issues and Arts Festivals: Preparing for the 11th Festival of Pacific Arts* (2009).

Full contact details of the Organization:

Postal address: PO Box 780
Rosebery NSW 1445
Australia

Telephone number: (02) 9693 2577
Fax number: (02) 9693 2566
Email address: terri@terrijanke.com.au
Web site: www.terrijanke.com.au

Name of Organization Representative and Title:

Mr. Peter Dawson Paralegal
peter@terrijanke.com.au

/...

Al-Zain Organization for Intellectual Property (ZIPO)

To: Traditional Knowledge Division
World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Fax: +41 (0) 22 338 81 20
Email: grtkf@wipo.int

Dear Traditional Knowledge Division,

Re: Request for accreditation as an observer in future sessions of the WIPO Intergovernmental Committee

I am writing to express the wish of my organization to participate in the sessions of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore as an *ad hoc* observer. Please find our application attached for the Committee's consideration.

Please do not hesitate to contact us if you require any further information.

Yours sincerely,

President
Al-Zain Organization for Intellectual Property

(Name and Signature of Representative)

/...

Application Form for Accreditation as *Ad Hoc* Observer to the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore^{1,2}

BIOGRAPHICAL DETAILS OF THE APPLICANT ORGANIZATION

Full name of the Organization:

Al-Zain Organization for Intellectual Property

Description of the Organization: (maximum 150 words)

Al-Zain Organization for Intellectual Property is as a national, professional, and social volunteer and non -profit NGO, that has a nominal character, and an independent financial status. ZIPO is concerned with IP issues in Yemen. The Organization was established according to the provisions of Societies and Organization law No. 1 of 2001, by the founder lawyer Shamseddin Ali Al-Zain, and registered as an NGO at the ministry of Social Affairs and Labor, and obtained relevant license No.6, of year 2009. The Organization operates under bylaws according the attachments herewith.

Main aims and objectives of the Organization: (Please use a bulleted list)

- Promote public awareness with IP issues;
- Propose bills on IP issues that are not addressed by present legislatures in cooperation with concerned institution;
- Contribute to develop national legislatures and procedures relevant to IP issues on the basis of scientific and legal criteria that includes more strict measures and means for IP protection;
- Encourage through all means, innovation and creativity, and provide moral and material support to creative minds, for the best interest of the community development;
- Join efforts and work hand in hand with the government, national institutions, international and national organizations, to promote IP, and expand IP protection and enforce IP rights;
- Protect and preserve natural inherited resources and traditional cultural heritage in all its forms and images in Yemeni community.
- Coordinate with official educational institutes to include IP in school and universities curriculum;
- Establish database on IP information for easy access by students, researchers and owner of IP rights to ensure protection of IP rights;

Please do not enclose any attachment with your application.

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- Establish a center affiliated to the Organization to receive and monitor violations on IP rights, and to conduct analytic and statistical researches on such violations and report on them annually;
- Conduct inventory on individuals, categories and other components who are genuine or secondary owners of IP rights, and also for the directly and indirectly beneficiaries from the Organization's services on order to ensure their IP rights, and apply relevant laws in this respect;
- Issue IP dictionary and a monthly magazine, and periodicals that includes information, news and articles in order to raise public awareness on IP issues;
- Organize conferences, seminars, and panels on IP issues, in cooperation with other concerned institutions;
- Grant medals or certificates for natural or nominal persons for their role in advocating for or supporting IP.

Main activities of the Organization: (Please use a bulleted list)

- Participated in seminar on 18/05/2010 with a working paper on IP between Legislature System and Judicial Practices, by lawyer Shamseddin Al-Zain, at Manarat Center. The Seminar was well attended by academia, and other interested parties, and the paper was published by various media outlets and websites;
- Dr. Hameed Al-Lhabi, ZIPO participated in a seminar at Manarat Center, with a working paper, which was published at various media outlets and websites;
- On 28/06/2012, organizing a lecture on "Architecture between Innovation and Legal Rights", for faculty of engineering graduates on architecture IP, by lawyer Shamsaddin Al-Zain, in coordination with Yemeni Engineering Syndicate;
- On 14/02/2013, ZIPO participated in the launching of electronic registry system for trademark ceremony by the Ministry of Industry and Trade, and delivered remarks on the significance of the system and the procedural and legal obstacles it might encounter in the future;
- On 01/10/2012, a number of 11 of the lawyers who work in the organization were registered in the Plenary Session of the IP NO. 101 of the WIPO Academy by remote education and all colleagues Passed session successfully with excellent estimates.

Planned activities:

- Ongoing preparations for the past two months to organize a conference on IP in Yemen in cooperation with the Federation of the Chambers of Commerce and Industry in Sana'a, to address IP issues;
- Particularly matters related to development;
- Coordinating with Ministry of Industry and Trade to organize workshop with the commercial court judges, Journalism court judges, courts mandated with IP violations, to address IP issues, and loopholes, malpractices in protecting IP;
- Drafting amendments to IP legislatures to address loopholes and contradictions therein, and to harmonize such legislatures with international IP conventions and agreements to which Yemen is a party state;
- In addition to a number of activities and events on IP planned for this and coming year, through which we strive to meet our objectives in promoting and protecting IP issues in Yemen; however this is personal efforts which may hardly meet our great ambition in this endeavor, however we are certain that with required material, technical and moral support we will achieve our aspirations and goals that urged us to establish this Organization.

Description of The Regulatory structure of the organization:

Consists of the founder president of the organization, who is under the statute annex with this form the highest power in the organization who takes many tasks and functions on the top of them, approving policies and General System of Organization. He has Deputy Commissioner who becomes in behalf of the president in the case of his absence and then follow him in ranking the Board of Trustees, which administers the activities of the Organization and Manage its affairs and consists of six members 1 - Chairman 2 - Secretary General 3 - Chief Financial Officer 4 - Media official 5 - Legal Officer 6 – officer of activities and programs.

Then what follow that is an executive body appointed by the Board of Trustees consists of the Executive Director of the organization and many of the Executive qualitative Committees operating with other administrative and functional cadres that work in the Organization according to what is shown in the list attached to this.

The membership: statutes of the organization does not stipulate on the possibility of affiliation or membership because the organization was founded in accordance with the law of civil Institutions and organizations which limits that to the founder / founders only

Relationship of the Organization with intellectual property matters, including a full explanation of why you are interested in the issues under discussion by the Committee (Maximum 150 words)

My professional work in the legal profession have led to think about establishing the organization as a result of the limitless violations of industrial and literary intellectual property in Yemen, in order to serve as a legal entity includes many of the colleagues working with me and activists in this area to contribute directly or indirectly to the defense of intellectual property violated rights and to define its essence and importance and its various dimensions by all available and possible means and methods, including coordination and cooperation with all stakeholders that are responsible for intellectual property at the national, regional and international levels in order to develop it and improve its national legislations to a better level than they are now and to take care of the creative and innovative minds.

Country in which the Organization is primarily active:

Republic of Yemen

Additional Information:

Please provide any additional information which you feel may be relevant (maximum 150 words)

The Organization has on board a group of excellent lawyers who are filled with enthusiasm to defend intellectual property and who work side by side with other functional cadres.

Full contact details of the Organization:

Postal address:

Sana'a - Zubairi Street & Hayel Street intersection - Aman Company Tower for insurance
8th Floor - P.O.Box: 18529

Email: info@zipo-ye.org

Website: www.zipo-ye.org

Mobile: +967 773008888, +967 713008888, +967 733705244

Name of Organization Representative and Title:

Lawyer: Shams Addin Ali Al Zain - Chairman

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