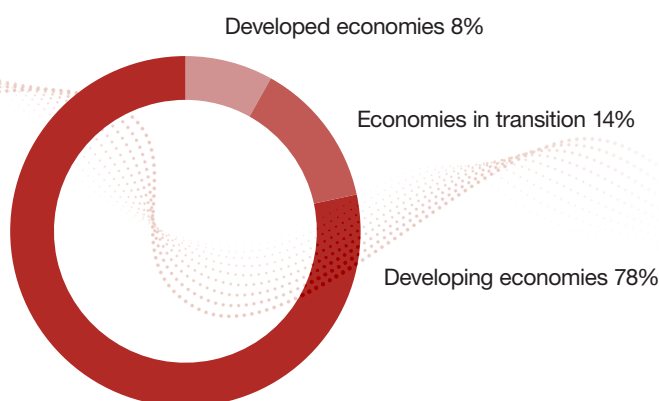


Photos: © Getty Images

Shaping the IP Ecosystem

WIPO's role as a convener of the global IP community has evolved rapidly in the face of the challenges of the COVID-19 pandemic. We adapted to provide new platforms for Member States to come together to shape the global IP ecosystem through the setting of norms and standards and the exchange of ideas and best practices. We also continued to strengthen our partnerships, to ensure that IP plays a part in helping us address complex global challenges.

Accessions to WIPO-administered treaties by type of economy 2020



Note: Classifications based on United Nations *World Economic Situation and Prospects 2020*.
Source: WIPO, 2021.

The normative framework

The normative framework creates a level playing field internationally for all IP stakeholders. Negotiations to conclude many of the 26 treaties administered by WIPO were driven by Member States in various standing committees and working groups, facilitated and supported by WIPO. These fora are needed to ensure that the international IP system remains balanced and effective – and that it keeps pace with change. Shifts to a responsive and creative approach to this important work began over the last year, with Member States showing flexibility in adopting new modalities for discussion and decision-making.

Accessions and ratifications to existing treaties

Despite the pandemic, Member States continued to join the WIPO-administered treaties in 2020, with 45 accessions and ratifications, demonstrating that the interest

in the international IP legal framework remains high. WIPO was particularly pleased to welcome a new Member State, the Republic of Nauru, bringing the total number of WIPO Member States to 193.

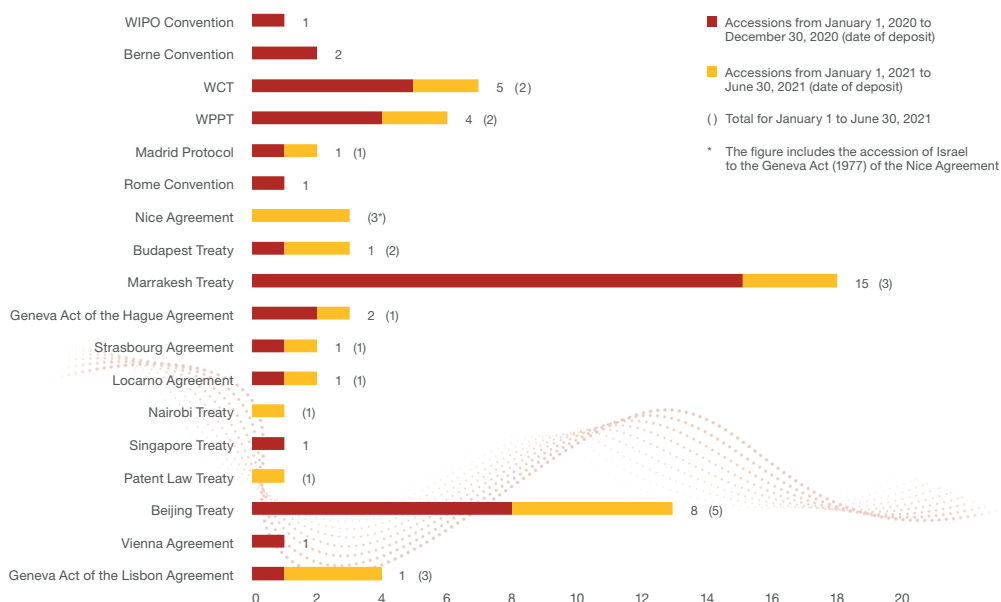
Out of the 26 treaties administered by the Organization, seven treaties now have over 100 Contracting Parties. A trend that continued from previous years is the strong presence of developing countries among the new contracting parties in 2020.

The Organization reached further milestones when two WIPO-administered treaties entered into force in the first months of 2020: the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications on February 26, 2020, and the Beijing Treaty on Audiovisual Performances on April 28, 2020.

Copyright treaties once again enjoyed high accession and ratification activity in 2020. The Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled garnered the greatest number of accessions and ratifications, followed by the Beijing Treaty on Audiovisual Performances, and the WIPO Copyright Treaty (WCT) and WIPO Performances and Phonograms Treaty (WPPT).

The rate of WIPO treaty accessions and ratifications has remained high during 2021, with 26 accessions from January 1 to June 30.

Accessions to WIPO-administered treaties in 2020 and in the first half of 2021



Source: WIPO, 2021.

Legislative and policy advice

WIPO continued to build awareness of and provide advice on WIPO-administered treaties, when requested. This included cooperation before joining treaties, as well as support after joining. These activities aim to: (i) enhance the capacities of Member States in shaping a balanced and effective IP ecosystem; and (ii) address the interplay between IP law and other areas of technology law, as well as between IP policies and other related policies, such as innovation, trade, biodiversity and health.



Normative and technical committees

Standing Committee on the Law of Patents (SCP) and Patent Cooperation Treaty (PCT) Committee for Technical Cooperation

The SCP continued its discussions on five main topics: (i) exceptions and limitations to patent rights; (ii) quality of patents, including opposition systems; (iii) patents and health; (iv) the confidentiality of communications between clients and their patent advisors; and (v) transfer of technology. The Committee continued to assemble information and best practices relating to national and regional laws, addressing policy, legal, practical and operational matters on all five topics.

The PCT Committee for Technical Cooperation held its 31st session and recommended that the Eurasian Patent Office (EAPO) be appointed as an International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) under the PCT.

Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications

The WIPO Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) managed to meet for its 43rd and 44th sessions, held in hybrid mode. The two SCT sessions saw a strong engagement from all delegations and made progress in the areas of graphical user interface (GUI) design protection, temporary protection of industrial designs shown at international exhibitions, nation-brand protection and geographical indications.

Standing Committee on Copyright and Related Rights (SCCR)

The SCCR met in hybrid, mainly remote sessions once in 2020 and once in 2021. Despite the limits on substantive in-person discussion, the sessions were positive and constructive. The SCCR was able to consider extensive reports and studies on topics ranging from limitations and exceptions, to music copyright in the digital environment, to the rights of theatre stage directors, and the artist's resale royalty right.

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

WIPO conducted intersessional activities to prepare participants for the resumption of substantive in-person negotiations in the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC). In August 2021, the IGC met and agreed to recommend to the WIPO General Assembly the renewal of its mandate for 2022–2023.

Operational facilities established under treaties

Budapest Treaty

The Budapest Treaty on the International Recognition of Deposits of Microorganisms for the Purposes of Patent Procedure (Budapest Treaty) provides a practical solution when pursuing patents involving biological material. It expanded its geographical coverage in 2020 with the accession of three new States, bringing the number of Contracting States to 85. There are now 48 International Depositary Authorities (IDAs) operating under the Budapest Treaty in 26 countries, covering all continents. The number of microorganisms deposited under the Budapest Treaty remained stable in 2020 at 6,756, though there

was a significant decrease in the number of samples furnished by IDAs to authorized parties in 2020, with only 950 samples furnished during the year.

Protection of State emblems and emblems of international organizations (Article 6ter of the Paris Convention).

The cumulative number of emblems protected under Article 6ter of the Paris Convention stands now at 4,062. During 2020, WIPO communicated 89 State emblems and emblems of international organizations to the Paris Union and WTO members through an electronic publication in the Article 6ter Express database. The number of signs communicated in the first half of 2021 stood at 110.

Convening leading discussions on IP

WIPO is a forum of exchange of information and experiences, convening discussions around emerging IP issues. These activities help shape the IP ecosystem and build networks across the IP community.

The WIPO Conversation and IP and frontier technologies

The WIPO Conversation was established to provide stakeholders with a leading global and inclusive forum to engage with and facilitate discussion and knowledge-building on the fast-moving and complex field of AI and its impact on IP.

Three sessions of the WIPO Conversation have been held, attended by more than 2,000 registrants from over 100 countries, with more than 60 percent participation from developing and least-developed countries.

In 2021, the Organization broadened the scope of the WIPO Conversation to exploring the impact of frontier technologies on IP, such as big data, blockchain, Internet of Things and genetic engineering. These technologies are raising a wide-ranging set of questions around how they can enhance the existing systems for IP administration and how the IP system can continue to foster innovation and creation in the digital world where intangible assets are increasing in importance for everyone, everywhere. The Organization plans to continue holding two sessions of the WIPO Conversation annually.

WIPO continues to update and expand the IP and Frontier Technologies Clearing House to enable information sharing.

Building respect for IP

International dialogue and cooperation around building respect for IP is integral to a healthy IP ecosystem.

In this area, WIPO provided legislative and capacity-building assistance to Member States and intergovernmental organization (IGO) and non-governmental organization (NGO) stakeholders and convened online meetings and activities, including its Advisory Committee on Enforcement (ACE) Online Dialogue in September 2021 on New Developments in Combatting Counterfeiting and Piracy on the Internet.

WIPO welcomed new members to the WIPO ALERT database, which enables national agencies to share lists of copyright-infringing websites with the advertising sector. Six new Authorized Contributors and five Authorized Users from the advertising industry



joined in 2020, with a further two Contributors and three Users joining in the first half of 2021. Eleven Member States now participate in WIPO ALERT, which contains over 6,700 domains.

Engaging with the United Nations (UN), other IGOs and non-governmental stakeholders

To support Member States in their post-COVID 19 crisis recovery efforts, WIPO actively engaged in the work of the UN system and relevant IGOs.

Trilateral cooperation and multilateral coordination to meet global challenges

Particularly notable was our engagement in the trilateral cooperation on public health, IP and trade with the WHO and WTO. In June 2021, we met with the Directors General of the WHO and WTO, Tedros Adhanom Ghebreyesus and Ngozi Okonjo-Iweala, to discuss salient health, trade and IP needs of our constituencies vis-à-vis the COVID-19 pandemic. We agreed to strengthen our trilateral cooperation to support global efforts to end the pandemic and develop sustainable solutions to public health challenges. We agreed to organize a series of technical capacity-building workshops, and to create a joint platform for trilateral technical assistance, offering a one-stop shop for assistance on access, IP and trade matters.

Connecting regularly with other sister agencies of the UN, including through our WIPO New York Office, we worked directly with multiple partners on topics involving IP and innovation, technology, climate change, the digital divide, health and the SDGs. Through contributions to IGO and major industry meetings and targeted inputs to reports, we coordinated our efforts and pooled expertise as part of our commitment to system-wide coordination and coherence.

”We will actively engage existing and new partners on cross-cutting international issues, strengthening understanding of the central role IP and innovation play in achieving sustainable solutions to global challenges.”

Multilateral debate on IP and competition policy

WIPO continued its work on IP and competition policy and strengthened its position in relevant multilateral fora. WIPO’s work focused on monitoring case law on IP and competition in developing and emerging economies, with an emphasis on the pharmaceutical industry, the issue of standard essential patents, and the possible use of IP data to define relevant markets in innovative industries. We continued to participate actively in the IP and Competition Interest Group, cooperating with the UN Conference on Trade and Development (UNCTAD), WTO and the Organisation for Economic Co-



operation and Development (OECD). WIPO also strengthened its participation in the International Competition Network, notably in the Unilateral Conduct Working Group, by contributing to discussions on IP-related competition issues and bringing a pro-competitive IP perspective to the competition agencies community.

NGO partnerships to broaden our reach

Working with a wide range of stakeholders, WIPO participated in public-private programs that offer access to information, such as the Access to Specialized Patent Information (ASPI) program facilitating access to commercial patent databases, and the Access to Research for Development and Innovation (ARDI) program offering access to subscription-based scientific and technical journals.

As of July 2021, the Pat-INFORMED database contained 236 records (INN Sets) from 21 companies, and 21,029 patents in 653 patent families.

Participating authorized entities in the Accessible Books Consortium (ABC) delivered over 90,000 accessible titles from the ABC Global Book Service catalogue to persons with print disabilities in 2020, up from 68,000 in 2019. The ABC also launched a new online course in the latest accessible book production techniques to deliver remote technical assistance and capacity building activities in developing and least developed countries.

