

Assemblies of the Member States of WIPO

64<sup>th</sup> Series of Meetings

**List of Decisions** 

- 2023



#### **PREFACE**

<u>The Sixty-Fourth Series of Meetings of the Assemblies</u> and other Bodies of the Member States of the World Intellectual Property Organization (WIPO) and of the Unions administered by WIPO, hereinafter "the 64<sup>th</sup> WIPO Assemblies", was held in Geneva from July 6 to 14, 2023.

The present document<sup>1</sup> contains the list of the decisions<sup>2</sup> adopted at those meetings, together with additional information, as appropriate. Questions, comments or suggestions on this document can be addressed to assemblies@wipo.int

#### ABOUT THE WIPO ASSEMBLIES

WIPO is an intergovernmental organization (IGO) and specialized agency of the United Nations (UN) comprised of 193 Member States, and serves as the global forum for intellectual property (IP) services, policy, information and cooperation. WIPO's mandate is set out in the Convention Establishing the World Intellectual Property Organization ("WIPO Convention").

As established by the WIPO Convention, the main policy and decision making bodies of WIPO are the WIPO General Assembly and the WIPO Coordination Committee.

In addition to the WIPO Convention, WIPO administers another <u>25 IP treaties</u> most with their own decision making bodies, such as the Paris Union Assembly, the Berne Union Assembly and the Patent Cooperation Treaty (PCT) Union Assembly.

The decision making bodies of the WIPO Convention and of the treaties administered by WIPO meet annually in joint sessions on the basis of a consolidated agenda. These meetings bring together the Member States of WIPO, allowing them to take stock of the progress in the Organization's work and to discuss future policy directions.

The "Meetings of the Assemblies and other Bodies of the Member States of the World Intellectual Property Organization (WIPO) and of the Unions administered by WIPO" are also simply known as the "WIPO Assemblies".

At the 64<sup>th</sup> WIPO Assemblies, 22 bodies met in joint sessions. The list of those bodies appears in document A/64/INF/1 Rev. (General Information).

<sup>&</sup>lt;sup>1</sup> The document is available in English, Arabic, Chinese, French, Russian and Spanish.

<sup>&</sup>lt;sup>2</sup> Disclaimer: This is an informative document prepared by the Secretariat to facilitate the consultation of the decisions by delegations and interested parties. This document has no legal status. The formal reports of the Assemblies, as adopted by Member States, are the only authoritative source of the proceedings and of the decisions adopted. The references to these reports are listed in the Annex to this document.

#### **ITEM 1: OPENING OF THE SESSIONS**

Ambassador Tatiana Molcean (Ms.) (Republic of Moldova), Chair of the WIPO General Assembly, opened the 64<sup>th</sup> Assemblies on July 6, 2023.

<u>Document</u>: <u>A/64/INF/1 Rev.</u> (General Information).

#### ITEM 2: ADOPTION OF THE AGENDA

<u>Documents</u>: <u>A/64/1</u> (Consolidated Agenda) and <u>A/64/2</u> (List of Documents).

<u>Decision</u>: "The Assemblies of WIPO, each as far as it is concerned, adopted the agenda as proposed in document A/64/1 Prov.4 (referred to in this document as "the Consolidated Agenda")."

#### **ITEM 3: ELECTION OF OFFICERS**

Document: A/64/INF/2 (Officers).

<u>Decision</u>: "The Assemblies of WIPO, each as far as it is concerned, elected their respective officers as appears in document A/64/INF/2."

Additional Information: According to the relevant rules of procedure, the officers of the Assemblies (i.e. the Chair and the Vice-Chairs of each of the 22 bodies that meet in the framework of the WIPO Assemblies) are elected once every two years during ordinary sessions (and therefore serve a two-year mandate). This is with the exception of the officers of the WIPO Coordination Committee, as well as the officers of the Paris and Berne Union Executive Committees, respectively, whose mandates are limited to one year. Elections of officers for these three bodies therefore take place annually. The Assemblies, during their 63<sup>rd</sup> Series of Meetings, modified the electoral cycle of the officers (Chair and Vice-Chairs) stipulated in Rule 9(2) of the General Rules of Procedure, such that their terms of office begin following the final meeting of the session during which they were elected.

#### ITEM 4: ADDRESS OF THE DIRECTOR GENERAL TO THE ASSEMBLIES OF WIPO

Document: Address of the Director General.

Mr. Daren Tang, Director General, presented his annual report to the Assemblies.

## **ITEM 5: GENERAL STATEMENTS**

General statements were made by delegations from 139 States (including 13 on behalf of groups of States), seven intergovernmental organizations, and 19 non-governmental organizations. The statements are available in Annex I of document <u>A/64/14</u> and on a dedicated <u>Assemblies web page</u>.

# ITEM 6: ADMISSION OF OBSERVERS

<u>Document</u>: A/64/3 (Admission of Observers).

<u>Decision</u>: "The Assemblies of WIPO, each as far as it is concerned, decided to grant observer status to the following organizations:

"International Non-Governmental Organizations (NGOs):

- "(i) Digital Music Europe (DME);
- "(ii) European Intellectual Property Teachers' Network (EIPTN);
- "(iii) Global Intellectual Property Alliance (GLIPA);

- "(iv) International Association of Young Lawyers (AIJA); and
- "(v) Organisation internationale de l'artisanat (OIA).

"National Non-Governmental Organizations (NGOs):

- "(i) Bahrain Intellectual Property Society (BIPS);
- "(ii) Centro de Investigación en Propiedad Intelectual (CIPI);
- "(iii) Compagnie nationale des conseils en propriété industrielle (CNCPI);
- "(iv) CreativeFuture;
- "(v) Emirates Reprographic Rights Management Association (ERRA);
- "(vi) Intellectual Property Protection Association (IPPA);
- "(vii) Korea Institute of Intellectual Property (KIIP); and
- "(viii) United States Telecom Association (USTelecom)."

Additional Information: WIPO welcomes the participation of observers at the Assemblies and other formal meetings of Member States, effectively contributing to open, transparent and responsive interaction with the observer community. Following this decision, WIPO currently has 202 international, and 103 national, NGOs admitted as observers. These observers are invited to attend the meetings of the Assemblies and, in the same capacity, relevant meetings of committees, working groups, and other bodies subsidiary to the Assemblies.

# ITEM 7: COMPOSITION OF THE WIPO COORDINATION COMMITTEE, AND OF THE EXECUTIVE COMMITTEES OF THE PARIS AND BERNE UNIONS

<u>Documents</u>: A/64/4 (Composition of the WIPO Coordination Committee, and of the Executive Committees of the Paris and Berne Unions), (A/64/9) (Joint Proposal of the Asia and the Pacific Group (APG) and the Africa Group on the Composition of the WIPO Coordination Committee), (A/64/10) (Proposal of the Central European and Baltic States Group (CEBS) on the Composition of the WIPO Coordination Committee), and (A/64/12) (Proposal of the Group of Latin American and Caribbean Countries (GRULAC) on the composition of the WIPO Coordination Committee).

<u>Decision</u>: "Following informal consultations among Member States,

- "(i) The Paris Union Assembly unanimously elected the following States as *ordinary* members of the *Paris Union Executive Committee*: Argentina, Brazil, Central African Republic, Chile, China, Colombia, Cuba, Czech Republic, Finland, Gabon, Ghana, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kenya, Kyrgyzstan, Malaysia, Mexico, Morocco, Niger, Norway, Pakistan, Peru, Republic of Korea, Romania, Russian Federation, Singapore, South Africa, Spain, Sweden, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of), Zimbabwe (41).
- "(ii) The Berne Union Assembly unanimously elected the following States as *ordinary* members of the *Berne Union Executive Committee*: Algeria, Australia, Austria, Bangladesh, Belgium, Cameroon, Canada, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, El Salvador, Fiji, France, Germany, Guatemala, India, Indonesia, Jamaica, Lithuania, Luxembourg, Malawi, Namibia, Netherlands (Kingdom of the), New Zealand, Nigeria, Panama, Paraguay, Portugal, Senegal, Serbia, Slovenia, Sri Lanka, Tajikistan, Türkiye, Uganda, United Kingdom, Uzbekistan, Viet Nam, Yemen (40).
- "(iii) The WIPO Conference unanimously designated the following State as *ad hoc* member of the *WIPO Coordination Committee*: Ethiopia (1);
- "(iv) The WIPO Conference and the Assemblies of the Paris and Berne Unions noted that Switzerland will continue to be an *ex officio* member of the *Paris Union Executive Committee* and of the *Berne Union Executive Committee*.

"As a consequence, the WIPO Coordination Committee for the period starting from the close of the present sessions to the close of the next ordinary sessions of the Assemblies of the Paris and Berne Unions and of the WIPO Conference that will meet in 2025, is composed of the following States:

"Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, El Salvador, Ethiopia (*ad hoc*), Fiji, Finland, France, Gabon, Germany, Ghana, Guatemala, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kyrgyzstan, Lithuania, Luxembourg, Malawi, Malaysia, Mexico, Morocco, Namibia, Netherlands (Kingdom of the), New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Serbia, Singapore, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland (*ex officio*), Tajikistan, Trinidad and Tobago, Tunisia, Türkiye, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe (83).

"The Assemblies of WIPO, each in so far as it is concerned, decided that the Chair of the WIPO General Assembly will undertake consultations with Member States on the allocation of the vacant seats at the WIPO Assemblies in 2025, for the election of the composition of the WIPO Coordination Committee, and of the Executive Committees of the Paris and Berne Unions, at the same WIPO Assemblies."

Additional Information: The membership of the WIPO Coordination Committee is established every two years in accordance with Article 8 of the WIPO Convention. On the basis of the above decision taken by WIPO Member States, further consultations will take place on the allocation of the seven seats that remained vacant in 2023.

#### ITEM 8: COMPOSITION OF THE PROGRAM AND BUDGET COMMITTEE

Document: (WO/GA/56/1) (Composition of the Program and Budget Committee)

<u>Decision</u>: "Following informal consultations among Member States, the following States were unanimously elected by the General Assembly as members of the Program and Budget Committee for the period starting from the close of the present session to the close of the next ordinary session of the General Assembly:

"Algeria, Argentina, Belarus, Brazil, Canada, Chile (2025), China, Colombia, Czech Republic, Ecuador (2024), Egypt, El Salvador, Estonia, France, Germany, Ghana, Guatemala, India, Indonesia (2025), Iran (Islamic Republic of) (2024), Italy, Japan, Kenya, Kyrgyzstan, Lithuania, Mexico, Morocco, Namibia, Nigeria, Pakistan, Panama, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Singapore (2025), Slovakia, South Africa, Spain, Sweden, Switzerland (ex officio), Tajikistan, Tunisia, Türkiye, Uganda, United Arab Emirates, United Kingdom, United States of America, Uzbekistan, Viet Nam (2024), Yemen (53)."

<u>Additional information</u>: At the 64<sup>th</sup> WIPO Assemblies, the 53 members of the Program and Budget Committee, as noted above, were elected for a two-year term.

# ITEM 9: REVISION OF THE GENERAL RULES OF PROCEDURE OF WIPO AND THE SPECIAL RULES OF PROCEDURE OF THE GOVERNING BODIES OF WIPO

<u>Document</u>: (A/64/5) (Revision of the General Rules of Procedure of WIPO and the Special Rules of Procedure of the Governing Bodies of WIPO).

Decision: "The Assemblies of WIPO, each as far as it is concerned,

- "(i) adopted the amendments of the respective WIPO General Rules of Procedure and Special Rules of Procedure, respectively, as set forth in the Annexes to document A/64/5.
- "(ii) requested the Secretariat to continue its revision of the General Rules of Procedure and the Special Rules of Procedure as the need may arise, with a view to presenting any proposed change to a future session of the Assemblies of WIPO."

Additional information: The 63<sup>rd</sup> WIPO Assemblies, during their Meetings held in 2022, adopted various amendments to the WIPO General and Special Rules of Procedure and requested the Secretariat to continue the revision thereof with a view to updating language references and proposing other necessary revisions, and to present the proposed changes to the 64<sup>th</sup> WIPO Assemblies at their 2023 sessions. As a result, the Assemblies adopted amendments to provisions with language references in the General and Special Rules of Procedure in line with the Revised Policy on Languages at WIPO, as well as additional amendments to selected provisions. The Secretariat will present any additional proposed changes thereto to the Assemblies, as the need may arise.

#### ITEM 10: REPORTS ON AUDIT AND OVERSIGHT

# (i) Report by the Independent Advisory Oversight Committee (IAOC)

<u>Documents</u>: (<u>WO/GA/56/2</u>) (Report by the WIPO IAOC) and <u>A/64/7</u> (List of Decisions Adopted by the PBC).

<u>Decision</u>: "The WIPO General Assembly took note of the "Report by the WIPO Independent Advisory Oversight Committee (IAOC)" (document WO/GA/56/2)."

Additional Information: The IAOC reported on the quarterly sessions it held during the reporting period. Specific matters addressed relate, amongst other, to the Internal Oversight plan and the work plan results; the review of the Audited Financial Statements for 2022 and the Report by the External Auditor; Risk Management and Internal Controls; monitoring the Implementation of Oversight Recommendations; the review of, and provision of advice on, the workplan of the Ethics Office; discussions with the Ombudsperson; and assistance to Governance Bodies.

# (ii) Report by the External Auditor

<u>Documents</u>: A/64/6 (Report by the External Auditor) and A/64/7 (List of Decisions Adopted by the PBC).

<u>Decision</u>: "The Assemblies of WIPO, each as far as it is concerned, took note of the "Report by the External Auditor" (document A/64/6)."

Additional Information: WIPO received an unqualified audit opinion on its 2022 Annual Financial Statements from the External Auditor. In addition, the External Auditor provided a Long Form Report on the audit of WIPO, in accordance with WIPO's Financial Regulations and Rules.

# (iii) Report by the Director of the Internal Oversight Division (IOD)

<u>Documents</u>: <u>WO/GA/56/3</u> (Annual Report by the Director of the Internal Oversight Division (IOD)) and A/64/7 (List of Decisions Adopted by the PBC).

<u>Decision</u>: "The WIPO General Assembly took note of the "Annual Report by the Director of the Internal Oversight Division (IOD)" (document WO/GA/56/3)."

<u>Additional Information</u>: The Report contains information on, amongst other, significant issues and high priority oversight recommendations, investigative activities, status of implementation of oversight recommendations, consultative and advisory oversight work, as well as IOD's cooperation with the Ombudsperson, the Ethics Office and with external oversight bodies.

#### ITEM 11: APPOINTMENT OF THE EXTERNAL AUDITOR

<u>Document</u>: <u>WO/GA/56/4</u> (Appointment of the External Auditor).

<u>Decision</u>: "The WIPO General Assembly appointed the Audit Board of Indonesia as the WIPO External Auditor for a period of six years to begin on January 1, 2024."

<u>Additional Information</u>: The appointment was made following the recommendation by the Selection Panel for the Appointment of the External Auditor composed of seven representatives of WIPO Member States.

# ITEM 12: REPORT ON THE PROGRAM AND BUDGET COMMITTEE (PBC)

<u>Documents</u>: A/64/7 (List of Decisions Adopted by the PBC) and A/64/11 (Proposed Program of Work and Budget for 2024/25)

<u>Decision</u>: "With respect to all matters under this agenda item, except for the Proposed Program of Work and Budget for the 2024/25 Biennium, the Assemblies of WIPO, each as far as it is concerned:

- "(i) took note of the "List of Decisions Adopted by the Program and Budget Committee" (documents WO/PBC/35/7 and WO/PBC/36/12); and
- "(ii) approved the recommendations made by the Program and Budget Committee as contained in the same documents.

"With respect to the Proposed Program of Work and Budget for the 2024/25 Biennium: The Assemblies of WIPO, each as far as it is concerned:

- "(iii) approved the Proposed Program of Work and Budget for the biennium 2024/25 (document A/64/11);
- "(iv) emphasized that, in line with the mandate of the GA 2021, the Secretariat shall continue to assist the IGC by providing Member States with necessary expertise and funding, in the most efficient manner, for the participation of experts from developing countries, countries in transition and LDCs, taking into account the usual formula for the IGC.
- "(v) agreed that, on an exceptional basis and subject to the approval of the list of invitees in the Preparatory Committee of the Diplomatic Conference to Conclude an International Legal Instrument relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources, WIPO will provide adequate funding to facilitate the participation in the Diplomatic Conference of 2 representatives of Indigenous People and Local Communities from each sociocultural region used by the UN Permanent Forum on Indigenous

Issues. The funding will be provided by WIPO's Voluntary Fund and, in case of insufficient resources, through the budget allocated to the Diplomatic Conference. The modalities of allocation for such funding will follow the rules of WIPO's Voluntary Fund.

- "(vi) noted that, participation of Indigenous Peoples and Local Communities' representatives in regular sessions of the IGC will continue to be funded by the WIPO Voluntary Fund and Member States' direct funding of such representatives.
- "(vii) requested the Secretariat to conduct outreach to encourage all Member States to contribute to the Voluntary Fund and/or directly fund participation of the Indigenous Peoples and Local Communities' representatives.
- "(viii) emphasized the importance of financial prudence in the prevailing context of global geopolitical and economic volatility;
- "(ix) requested the Secretariat to continue its close monitoring of program implementation and budget utilization during the biennium 2024/25, across the Organization, and to adjust budget allocations accordingly as relevant."

<u>Additional Information</u>: This item covered all matters under the PBC's supervision except for the Reports on Audit and Oversight (covered under item 10).

#### **ITEM 13: REPORTS FROM WIPO COMMITTEES**

# (i) The Standing Committee on Copyright and Related Rights (SCCR)

Document: WO/GA/56/5 (Report on the SCCR).

Decision: "The WIPO General Assembly:

- "(i) took note of the "Report on the Standing Committee on Copyright and Related Rights" (document WO/GA/56/5); and
- "(ii) directed the SCCR to continue its work regarding all issues reported on in document WO/GA/56/5."

Additional Information: According to the Report, the SCCR agenda included the following matters over the past year: (i) protection of broadcasting organizations; (ii) limitations and exceptions for libraries and archives; (iii) limitations and exceptions for educational and research institutions and persons with other disabilities; (iv) analysis of copyright related to the digital environment, (v) resale right; (vi) protection of theatre directors' rights and (vii) public lending right.

#### (ii) The Standing Committee on the Law of Patents (SCP)

Document: WO/GA/56/6 (Report on the SCP).

<u>Decision</u>: "The WIPO General Assembly took note of the "Report on the Standing Committee on the Law of Patents (SCP)" (document WO/GA/56/6)."

Additional Information: According to the Report, the SCP, at its 34<sup>th</sup> session in September 2022, continued to address the following topics over the past year: (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.

# (iii) The Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)

Document: WO/GA/56/8 (Report on the SCT).

<u>Decision</u>: "The WIPO General Assembly took note of the "Report on the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)" (document WO/GA/56/8)."

# (iv) The Committee on Development and Intellectual Property (CDIP) and Review of the Implementation of the Development Agenda Recommendations

<u>Document</u>: <u>WO/GA/56/9</u> (Report on the CDIP and Review of the Implementation of the Development Agenda Recommendations).

<u>Decision</u>: "The WIPO General Assembly took note of the "Report on the Committee on Development and Intellectual Property (CDIP) and Review of the Implementation of the Development Agenda Recommendations" (document WO/GA/56/9)."

Additional Information: Document WO/GA/56/9 contains the Summaries by the Chair of the last two CDIP sessions, held between October 2022 and April 2023. These Summaries reflect the main decisions taken by the CDIP on all documents and issues it considered. In addition, document WO/GA/56/9 contains the Director General's Report on the Implementation of the Development Agenda, presented at the April 2023 CDIP session.

# (v) The Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)

Document: WO/GA/56/10 (Report on the IGC).

**Decision**: "The WIPO General Assembly:

- "(i) took note of the information contained in document WO/GA/56/10; and
- "(ii) agreed to renew the mandate of the IGC for the biennium 2024/2025 as below:

"Bearing in mind the Development Agenda recommendations, reaffirming the importance of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (Committee), noting the different nature of these issues and acknowledging the progress made, the WIPO General Assembly agrees that the mandate of the Committee be renewed, without prejudice to the work pursued in other fora, as follows:

- "(a) The Committee will, during the next budgetary biennium 2024/2025, in a Member State driven process, continue its work on the protection of genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs), with the objective of finalizing an agreement on an international legal instrument(s), without prejudging the nature of outcome(s), relating to intellectual property, which will ensure the balanced and effective protection of TK and TCEs.
- "(b) Noting that a Diplomatic Conference will be convened to conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources no later than 2024, the Committee will, during the next budgetary biennium 2024/2025, continue to discuss intellectual property issues concerning GRs as they relate to the mandate of the Committee.

- "(c) The Committee's work in the 2024/2025 biennium will build on the existing work carried out by the Committee, including text-based negotiations, with a primary focus on narrowing existing gaps and reaching a common understanding on core issues<sup>3</sup>.
- "(d) The Committee will follow, as set out in the table below, a work program based on open and inclusive working methods for the 2024/2025 biennium, including an evidence-based approach as set out in paragraph (f). This work program will make provision for 4 sessions of the Committee in 2024/2025, including thematic, cross-cutting, and stocktaking sessions.
- "(e) The Committee may establish *ad hoc* expert group(s) to address specific legal, policy, or technical issues<sup>4</sup>. The results of such *ad hoc* expert group(s) shall be submitted to the Committee for its consideration.
- The Committee will use all WIPO working documents, including WIPO/GRTKF/IC/47/14 (The Protection of Traditional Knowledge: Draft Articles) and WIPO/GRTKF/IC/47/15 (The Protection of Traditional Cultural Expressions: Draft Articles), as well as any other contributions of Member States, such as conducting/updating studies covering, inter alia, examples of national experiences, including domestic legislation, impact assessments, databases, and examples of protectable subject matter and subject matter that is not intended to be protected; and outputs of any expert group(s) established by the Committee and related activities conducted under the capacity-building and technical assistance program of the Secretariat (the Traditional Knowledge Division). The Secretariat is requested to continue to update studies and other materials relating to tools and activities on databases and on existing disclosure regimes relating to GRs and associated TK, with a view to identifying any gaps and continuing to collect, compile and make available online information on national and regional sui generis regimes for the intellectual property protection of TK and TCEs. Studies or additional activities are not to delay progress or establish any preconditions for the negotiations.
- "(g) In 2025, the Committee is requested to submit to the General Assembly the results of its work in accordance with the objective reflected in paragraphs (a) and (b). The General Assembly in 2025 will take stock of progress made on GRs, in light of the Diplomatic Conference and IGC 48, TK and TCEs, and based on the maturity of the text(s) on TK and TCEs, including levels of agreement on objectives, scope, and nature of the instrument(s), decide on whether to convene a diplomatic conference and/or continue negotiations.
- "(h) The General Assembly requests the Secretariat to continue to assist the Committee by providing Member States with necessary expertise and funding, in the most efficient manner, of the participation of experts from developing countries and LDCs, taking into account the usual formula for the IGC.
- "(i) The Secretariat is also requested to facilitate the effective participation of Indigenous Peoples as well as local communities in WIPO's normative work related to GRs, TK and TCEs.

<sup>&</sup>lt;sup>3</sup> Core issues include, as applicable, inter alia, definitions, beneficiaries, subject matter, objectives, scope of protection, and what TK/TCEs are entitled to protection at an international level, including consideration of exceptions and limitations and the relationship with the public domain.

<sup>&</sup>lt;sup>4</sup> The expert group(s) will have a balanced regional and gender representation and use an efficient working methodology. Accredited representatives of Indigenous Peoples as well as local communities will be invited to participate, in line with past practice of the Committee.

#### **WORK PROGRAM - 4 SESSIONS**

Indicative Dates	Activity
October/November 2024 (IGCs 48 and 49 will be held back- to-back)	IGC 48 Take stock of the progress made on GRs and TK associated with GRs and discuss any issues arising from the Diplomatic Conference. Duration 1 day (this one day session on GRs creates no precedence for future sessions of the Committee).
	IGC 49 Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s). Duration 5 days.
March 2025	IGC 50 Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s). Duration 5 days.
June 2025	IGC 51 Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s). Stocktaking on GRs/TK/TCEs and making a recommendation Duration 5 days.
July 2025	WIPO General Assembly will take stock of the progress made, consider the text(s) and make the necessary decision(s)."

# (vi) The Committee on WIPO Standards (CWS)

<u>Document</u>: <u>WO/GA/56/11</u> (Report on the CWS).

<u>Decision</u>: "The WIPO General Assembly took note of the "Report on the Committee on WIPO Standards" (document WO/GA/56/11)."

Additional Information: According to the Report, the CWS adopted its Organizational Matters and Special Rules of Procedure which contains its membership and mandate. In addition to the adoption of new or revised WIPO Standards, the CWS noted the blockchain pilot for Global Identifiers reported by the International Bureau, which aims to address the long standing applicant name standardization issues by identifying IP applicants or owners, and other stakeholders consistently and accurately across IP offices and making online transactions easier in IP ecosystem. In addition, document WO/GA/56/11 contains the report by the International Bureau on the provision of technical advice and assistance for capacity building to industrial property offices in connection with the mandate of the CWS.

# (vii) The Advisory Committee on Enforcement (ACE)

Document: WO/GA/56/12 (Report on the ACE).

<u>Decision</u>: "The WIPO General Assembly took note of the "Report on the Advisory Committee on Enforcement" (document WO/GA/56/12)."

#### **ITEM 14: PCT SYSTEM**

# (i) Appointment of the Saudi Authority for Intellectual Property as an International Searching and Preliminary Examining Authority under the PCT

<u>Document</u>: <u>PCT/A/55/1</u> (Appointment of the Saudi Authority for Intellectual Property as an International Searching and Preliminary Examining Authority under the PCT).

<u>Decision</u>: "The Assembly of the PCT Union, in accordance with Articles 16(3) and 32(3) of the PCT:

- "(i) approved the text of the draft Agreement between the Saudi Authority for Intellectual Property and the International Bureau set out in the Annex to document PCT/A/55/1; and
- "(ii) appointed the Saudi Authority for Intellectual Property as an International Searching Authority and International Preliminary Examining Authority with effect from the entry into force of the Agreement until December 31, 2027."

Additional information: The Agreement between the Saudi Authority for Intellectual Property and the International Bureau approved by the Assembly of the PCT Union was subsequently signed on July 11, 2023. The Agreement will enter into force on a date that the Saudi Authority for Intellectual Property will notify to the Director General of WIPO.

# (ii) Proposed Amendments to the PCT Regulations

Document: PCT/A/55/2 (Proposed Amendments to the PCT Regulations).

Decision: "The Assembly of the PCT Union:

- "(i) adopted the proposed amendments to the Regulations under the PCT set out in Annexes I and II and paragraph 6 of document PCT/A/55/2, and the entry into force and transitional arrangements set out in paragraph 7 of the same document; and
- "(ii) adopted the Understanding set out in paragraph 8 of document PCT/A/55/2."

Additional information: The Assembly of the PCT adopted amendments to the PCT Regulations: (i) to the procedure when an international application contains parts in different languages and all such languages are accepted by the competent receiving Office, to enter into force on July 1, 2024; (ii) to the definition of the minimum documentation that an International Searching Authority is required to consult during international search, and the minimum requirements for appointment of an Office or organization as an International Searching Authority and International Preliminary Examining Authority, to enter into force on January 1, 2026; and (iii) to the French text of Rule 82quater.3 relating to the extension of time limits due to a general disruption after the start of national processing in order to remove an inconsistency with the English text of this Rule, to enter into force on July 1, 2024. The Understanding adopted by the Assembly concerns the interpretation of the amended minimum requirements for appointment as an International Searching Authority and International Preliminary Examining Authority in the case of an IGO that has been established for the collaboration between national Offices of the States that are members of that IGO and does not itself issue patents or publish patent applications.

# (iii) Amendment of the Agreement Concerning the Functioning of the Ukrainian Intellectual Property Institute as an International Searching Authority and International Preliminary Examining Authority under the PCT

<u>Document</u>: <u>PCT/A/55/3</u> (Amendment of the Agreement Concerning the Functioning of the Ukrainian Intellectual Property Institute as an International Searching Authority and International Preliminary Examining Authority under the PCT).

**Decision**: "The Assembly of the PCT Union:

- "(i) noted the contents of document PCT/A/55/3; and
- "(ii) approved the amendments to the agreement between the Ministry of Economic Development and Trade of Ukraine and the International Bureau as set out in the Annex to document PCT/A/55/3."

<u>Additional information</u>: The amendments reflect the responsible body for patent processing in Ukraine, now named the State Organization "Ukrainian National Office for Intellectual Property and Innovations" (UANIPIO).

#### **ITEM 15: MADRID SYSTEM**

<u>Document</u>: <u>MM/A/57/1</u> (Proposed Amendments to the Regulations Under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks).

<u>Decision</u>: "The Madrid Union Assembly adopted the amendments to:

- "(i) Rules 17, 18, 32 and 40 of the Regulations Under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, as set out in Annexes I and III to document MM/A/57/1, with November 1, 2023, as their date of entry into force; and
- "(ii) Rules 21, 23*bis* and 32 of the Regulations Under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, as set out in Annexes II and IV to document MM/A/57/1, with November 1, 2024, as their date of entry into force."

#### **ITEM 16: HAGUE SYSTEM**

<u>Document</u>: <u>H/A/43/1</u> (Proposed Amendments to the Schedule of Fees Annexed to the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement).

<u>Decision</u>: "The Assembly of the Hague Union adopted the proposed amendments to the Schedule of Fees, as set out in Annexes I and II to document H/A/43/1, with a date of entry into force of January 1, 2024."

#### **ITEM 17: LISBON SYSTEM**

<u>Document</u>: <u>LI/A/40/1</u> (Proposed Amendments to the Common Regulations Under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement).

<u>Decision</u>: "The Assembly of the Lisbon Union:

"(i) adopted the amendments to the Common Regulations under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, as set out in the Annex to document LI/A/40/1, and

"(ii) adopted the proposed corrections to the Spanish version of the Common Regulations, as set out in the Spanish version of document LI/A/40/1,

with July 14, 2023, as their date of entry into force."

# ITEM 18: WIPO ARBITRATION AND MEDIATION CENTER, INCLUDING DOMAIN NAMES

<u>Document</u>: <u>WO/GA/56/13</u> (WIPO Arbitration and Mediation Center, Including Domain Names).

<u>Decision</u>: "The WIPO General Assembly took note of the document "WIPO Arbitration and Mediation Center, Including Domain Names" (document WO/GA/56/13)."

Additional Information: The document contains an activity report of the Center as an international resource for efficient alternatives to court litigation of IP disputes, including collaboration with certain IP Offices in promoting and administering alternative dispute resolution (ADR) options. In the area of domain name dispute resolution, the document notes that in 2022 the Center administered a record 5,764 cases on the basis of the Uniform Domain Name Dispute Resolution Policy (UDRP); in total, the Center has administered filings of over 63,000 such cases covering over 113,000 domain names.

# **ITEM 19: PATENT LAW TREATY (PLT)**

<u>Document</u>: <u>WO/GA/56/7</u> (Technical Assistance and Cooperation Regarding the Patent Law Treaty (PLT)).

<u>Decision</u>: "The WIPO General Assembly took note of the information on "Technical Assistance and Cooperation regarding the Patent Law Treaty (PLT)" (document WO/GA/56/7)."

Additional Information: The Report outlines WIPO's activities which facilitated the filing of communications in electronic form in developing and least developed countries (LDCs) and countries in transition over the past two years. In particular, it contains information on: (i) technical infrastructure of national and regional IP offices; and (ii) electronic communications under the PCT. In accordance with PLT provisions, the WIPO General Assembly monitors and evaluates, at each ordinary session (i.e. normally every two years), relevant technical assistance and cooperation activities in favor of developing countries, LDCs and countries in transition, which facilitates the filing of communications in electronic form in those countries.

# ITEM 20: SINGAPORE TREATY ON THE LAW OF TRADEMARKS (STLT)

<u>Document</u>: <u>STLT/A/16/1</u> (Technical Assistance and Cooperation Regarding the Singapore Treaty on the Law of Trademarks (STLT)).

<u>Decision</u>: "The Singapore Treaty Assembly elected Ms. Anna Barbarzak (Poland) as Acting Chair of the 8<sup>th</sup> ordinary session of the Singapore Treaty Assembly.

"The Assembly of the Singapore Treaty took note of the information on "Technical Assistance and Cooperation Regarding the Singapore Treaty on the Law of Trademarks (STLT)" (document STLT/A/16/1)."

Additional Information: The Report contains information on: (i) assistance in establishing the legal framework for the implementation of the Treaty, and (ii) activities relating to information, education, awareness raising and assistance in revising administrative practices and procedures. In accordance with STLT provisions, the Assembly monitors and evaluates, at each ordinary session (i.e. normally every two years), technical assistance and cooperation relevant to the STLT implementation.

# ITEM 21: ASSISTANCE AND SUPPORT FOR UKRAINE'S INNOVATION AND CREATIVITY SECTOR AND INTELLECTUAL PROPERTY SYSTEM

<u>Document</u>: A/64/8 (Report on the Assistance and Support for Ukraine's Innovation and Creativity Sector and Intellectual Property System).

Decision: "The Assemblies of WIPO each as far as it is concerned,

- "(i) took note of the "Report on the Assistance and Support for Ukraine's Innovation and Creativity Sector and Intellectual Property System" by the International Bureau, as contained in document A/64/8:
- "(ii) requests the International Bureau to continue to provide concrete assistance and support as indicated in the conclusions of the report, pursuant to the decision of the 2022 WIPO Assemblies (see document A/63/10, paragraph 312); and
- "(iii) requests the International Bureau to provide an updated report at the 2024 WIPO Assemblies."

<u>Additional Information</u>: The Delegation of Poland proposed the decision, and subsequently requested a vote thereon, which was seconded by the Delegation of Ukraine. By a vote of 68 "in favor," 11 "against," and 27 "abstentions" the proposed decision was adopted.

# ITEM 22: APPOINTMENT OF THE DIRECTOR, INTERNAL OVERSIGHT DIVISION (IOD))

<u>Document</u>: <u>WO/CC/82/5</u> (Appointment of the Director, Internal Oversight Division (IOD)).

<u>Decision</u>: "The WIPO Coordination Committee took note of the information contained in paragraphs 1 to 7 of document WO/CC/82/5 and endorsed the appointment of Ms. Julie Nyang'aya as Director, Internal Oversight Division (IOD) for a non-renewable period of six years."

#### **ITEM 23: REPORTS ON STAFF MATTERS**

## (i) Report on Human Resources

<u>Documents</u>: <u>WO/CC/82/INF/1</u> (Annual Report on Human Resources) and <u>WO/CC/82/1</u> (WIPO Staff Pension Committee (WSPC)).

<u>Decision</u>: "The WIPO Coordination Committee elected Mr. Jean-Luc Perrin as alternate member of the WIPO Staff Pension Committee for a period of four years, up to the end of the ordinary session of the WIPO Coordination Committee in 2027."

Additional Information: The HR Report covers matters concerning WIPO's human resources that have to be reported to the WIPO Coordination Committee as well as other staff matters of interest. It includes information on progress made in achieving goals relating to some of these staff matters and a brief description of relevant policies, initiatives and activities which are aligned with the Organization's HR Strategy 2022-2026. The information in the report is complemented by a separate Workforce report containing key data and metrics on WIPO's workforce, diversity, talent sourcing, development and training as well as conflict management.

# (ii) Report by the Ethics Office

<u>Document</u>: <u>WO/CC/82/INF/2</u> (Annual Report by the Ethics Office).

Additional Information: The Report outlines the activities of the Ethics Office which are related to: (i) confidential advice and guidance to staff members; (ii) awareness raising and training activities; (iii) standard-setting and policy development; and (iv) implementation of policies assigned to the Ethics Office.

#### ITEM 24: AMENDMENTS TO STAFF REGULATIONS AND RULES

<u>Documents</u>: <u>WO/CC/82/2</u> (Amendments to Staff Regulations and Rules) and <u>WO/CC/82/4</u> (Proposal of the African Group on Amendments to Staff Regulations and Rules).

Decision: "The WIPO Coordination Committee:

- "(i) approved the amendments to the Staff Regulations as provided in Annex I, document WO/CC/82/2, with the exception of the proposed amendment to Staff Regulation 4.9 and subject to paragraph (ii) below;
- "(ii) approved a new Staff Regulation 1.10 entitled "Place of Residence", reading as follows: "Staff members shall have their primary residence within the area of their duty station. The remuneration, allowances and other entitlements that depend on place of residence may be reduced for staff members who are exceptionally authorized, at their request, to reside outside the area of their duty station.";
- "(iii) recognizing the importance of providing new career enhancement opportunities for WIPO staff, and taking note of the Organization's efforts to encourage talent mobility, decided to continue discussing measures aimed at improving career growth and development at WIPO; and
- "(iv) noted the amendments to the Staff Rules as provided in Annex II, document WO/CC/82/2."

Additional Information: Every year, amendments to the Staff Regulations and to the Staff Rules are presented to the WIPO Coordination Committee for approval and for notification, respectively. The ongoing review of the Staff Regulations and Rules allows WIPO to maintain a sound regulatory framework that adapts to, and supports, the changing needs and priorities of the Organization, while ensuring alignment with best practices in the UN common system.

# ITEM 25: AMENDMENTS TO THE STATUTE OF THE INTERNATIONAL CIVIL SERVICE COMMISSION (ICSC)

<u>Document</u>: <u>WO/CC/82/3</u> (Amendments to the Statute of the International Civil Service Commission (ICSC)).

<u>Decision</u>: "The WIPO Coordination Committee endorsed the amendments to the Statute of the International Civil Service Commission as provided in the Annex of document WO/CC/82/3, to be notified immediately by the Director General in writing to the Secretary-General of the United Nations.

"The WIPO Coordination Committee requests the Director General to implement the official ICSC post adjustment multipliers provided after the date of the acceptance of those amendments by WIPO, consistent with its legal obligations."

Additional Information: The need to amend the ICSC Statute arose because its provisions on the authority to decide post adjustment multipliers were interpreted differently by the Administrative Tribunal of the International Labour Organization and the United Nations Appeals Tribunal. In December 2022, the United Nations General Assembly decided to amend the ICSC Statute, in

order to resolve the conflicting judicial interpretations by these two Tribunals, which are at the apex of their respective jurisdictions in the United Nations common system. The amendments are not automatically applicable to WIPO, but required that WIPO Member States decide whether to endorse the amendments.

## **ITEM 26: ADOPTION OF THE REPORTS**

<u>Documents</u>: See Annex to the present document.

Decision: "The Assemblies of WIPO, each as far as it is concerned:

- "(i) adopted the present Summary Report (document A/64/13); and
- "(ii) requested the Secretariat to finalize the Extensive Reports, post them on the WIPO website and communicate them to Member States by August 11, 2023. Comments should be submitted to the Secretariat by September 8, 2023, after which the final reports will be deemed adopted by September 22, 2023."

<u>Additional Information</u>: The Summary Report, incorporated the decisions adopted by the Assemblies on July 14, 2023. The Extensive Reports, adopted on September 22, 2023, supersede the Summary Report with the addition of all statements made during the Assemblies.

#### ITEM 27 CLOSING OF THE SESSIONS

The Sixty-Fourth Series of Meetings of the Assemblies of WIPO was closed by the Chair of the WIPO General Assembly.

[Annex follows]

#### LIST OF REPORTS OF THE 64<sup>TH</sup> ASSEMBLIES

General Report of the 64<sup>th</sup> Assemblies (146 pages) A/64/14

Report of the 56<sup>th</sup> WIPO General Assembly (69 pages) WO/GA/56/14

WO/CC/82/6 Report of the 82<sup>nd</sup> WIPO Coordination Committee (29 pages)

Report of the 57<sup>th</sup> Madrid Union Assembly (3 pages) MM/A/57/2

Report of the 43<sup>rd</sup> Hague Union Assembly (4 pages) H/A/43/2

LI/A/40/2 Report of the 40<sup>th</sup> Lisbon Union Assembly (9 pages)

PCT/A/55/4 Report of the 55<sup>th</sup> Patent Cooperation Treaty (PCT) Union Assembly (7 pages)

STLT/A/16/2 Report of the 16<sup>th</sup> Singapore Treaty on the Law of Trademarks (STLT)

Assembly (2 pages)

# JOINT REPORTS<sup>1</sup> (2 PAGES)

WO/CF/44/1 Report of the 44<sup>th</sup> WIPO Conference

P/A/59/1 Report of the 59<sup>th</sup> Paris Union Assembly

Report of the 63<sup>rd</sup> Paris Union Executive Committee P/EC/63/1

Report of the 53<sup>rd</sup> Berne Union Assembly B/A/53/1

B/EC/69/1 Report of the 69th Berne Union Executive Committee

N/A/43/1 Report of the 43rd Nice Union Assembly

Report of the 43<sup>rd</sup> Locarno Union Assembly LO/A/43/1

IPC/A/44/1 Report of the 44<sup>th</sup> Special Union for the International Patent Classification

Report of the 40<sup>th</sup> Budapest Union Assembly BP/A/40/1

Report of the 36<sup>th</sup> Vienna Union Assembly VA/A/36/1

WCT/A/23/1 Report of the 23<sup>rd</sup> WIPO Copyright Treaty Assembly

Report of the 23<sup>rd</sup> WIPO Performances and Phonograms Treaty WPPT/A/23/1

Report of the 22<sup>nd</sup> Patent Law Treaty Assembly PLT/A/22/1

Report of the 8th Marrakesh Treaty Assembly MVT/A/8/1

Report of the 4<sup>th</sup> Beijing Treaty Assembly BTAP/A/4/1

Total: 22 Reports containing 271 pages

[End of Annex and of document]

<sup>&</sup>lt;sup>1</sup> A separate document which records that the following WIPO bodies were statutorily convened in the framework of the Assemblies but did not have individual matters to discuss.

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