

Four months since he became director general of WIPO, *WTR* spoke to Francis Gurry for an update on his major strategic realignment of the secretariat. With his trademark clarity, Gurry candidly discusses the challenges of hiring the right people to drive the organization to the next level and facing issues WIPO has never before addressed.

### **Gurry evaluates historic WIPO reform project**

"There is a lot to be done on many fronts," says Francis Gurry. "But we've started on each of them." Four months since he took the top job at the World Intellectual Property Organization (WIPO) and began his programme of major strategic realignment, Gurry shows no signs of slowing down: his plan and budget have been approved by the member states and changes are already occurring.

"Changes of great magnitude are going to take a couple of years but in the interim there will be smaller positive developments," he says. Gurry began working towards these on the first day of his six-year term. On October 1 2008, he immediately advertised for six new positions, each requiring specific skills never before formalized at WIPO. They included a chief economist, a chief information officer and a director of the office of the director general. "We have managed to attract some very interesting candidates," Gurry reveals. "We're moving to the stage of making the appointments within the next two to three weeks."

This stream of new appointments will also welcome a director of global challenges, a role which forms part of Gurry's personal vision for the future of WIPO. Among other things, it concerns climate change and access to medicines in the developing world. "In the past WIPO has not engaged in these issues," the director general admits. "So we want to move from isolationism to engagement." The global challenges that concern Gurry most are, naturally, those requiring solutions through technological innovation. Gurry hopes that investing WIPO's time and energies in this field will better protect the IP rights stemming from cutting-edge research and development. In the meantime, he believes WIPO can even encourage and support this research. "One of the roles of intellectual property is to stimulate the right kind of investment in the right kinds of technology," he says. "We want to see if that incentive is working. And to see if we can make it work better by modulating the rights associated with the incentive or developing practical platforms for making the incentive more operative. For example, developing a platform where climate change technologies might be exchanged and discussed more easily." It's a complex and radical new direction for the secretariat, but one the new director general believes in passionately. "I think the IP dimension of these issues ought to be discussed within WIPO," he says. "Not any other body."

WIPO may have many new directions to pursue under Gurry but he is also focused on streamlining and restructuring even the body's most established purposes and practices. Two years ago a report by PricewaterhouseCoopers (PwC) made sweeping suggestions to maximize and reenergize WIPO's human resources. "The text from the PwC report is one source of inspiration for how we need to change as an organization," he confirms. "Another change is the new strategic directions of the organization and the third is my own personal assessment of what WIPO needs to do and how it needs to change." Although Gurry understands the mammoth size of the task that lies ahead of him, he confidently breaks it down, detailing his plans for developing a service culture across the whole organization and reducing the bureaucratic nature of its administrative processes. "It's a question of business analysis and reengineering of processes," he affirms. "We'll take any given process, which may be as simple as an authorization to travel, and reassess it to see if any improvements can be made, particularly through use of information technology."

Gurry's vision received a vote of confidence in December 2008 when the member states approved his new two-year, \$532-million budget. The approval came at the conclusion of an extraordinary one-day general assembly meeting on December 12 2008. "Getting acceptance for the new strategic framework was very important," Gurry admits. "It's a sign that the

member states accept the need for change, and that they accept the vehicle for change that I propose.”

Indeed it seems that the IP landscape will be slightly different under Gurry. In addition to the ongoing changes observed at WIPO, a new international agreement promises new standards for trademark registration procedures. The Singapore Treaty, says Gurry, will provide a forum that allows member states to track and process evolving trademark rights, and standardize service marks and licensing procedures. “It’s a fine tuning of the Trademark Law Treaty,” he comments, clearly pleased that it rapidly picked up the 10 ratifications required for it to enter into force, which it will now do on March 16 2009. “That’s very promising and bodes well for a widespread geographical participation,” he says. But trademark law is not usually high on parliamentary agendas, especially for developing countries battling with fundamental legislative challenges. “Nevertheless, it’s a treaty that has been passed easily and has progressed quickly; it’s not controversial and that may ease its passage through parliaments.”

Although heavily involved with the Singapore Treaty, WIPO has been forced to the sidelines with regards the Anti-counterfeiting Trade Agreement (ACTA). WIPO has, of course, been coordinating various awareness-raising campaigns and cooperating with several international agencies in the fight against counterfeiting, but Gurry sounds noticeably perturbed by the international community’s choice to negotiate ACTA without WIPO. “States will use the forum that is going to deliver the best results for them,” says Gurry. “Those states participating in ACTA have obviously made the assessment that they can get the results through a plurilateral forum rather than a multilateral forum.” Could member states utilize WIPO as a forum for such agreements in the future? “I hope so,” replies Gurry, adding that soft measures are insufficient for fighting counterfeiting. “I would like to think that we can go much further without at the same time transforming intellectual property into a draconian instrument.”

Indeed, he positively wants to avoid feeding the bad press machine that has plagued intellectual property for years. “I hope that we can improve its reputation in several ways,” Gurry states, first by engaging in global challenges and second by highlighting processes that demonstrate the social benefit of intellectual property. “For example, at the moment we are initiating a process to see if we can get a consensus of government and industry on best practice for access to copyrighted works for the visually impaired.”

Improving intellectual property’s public image is an arduous task when considered objectively, but Gurry’s style inspires confidence. A WIPO veteran of 23 years, Gurry is no stranger to taking on the big problems – and winning. This year marks the 10th anniversary of the Uniform Domain Name Dispute Resolution Policy, an initiative Gurry oversaw in his previous WIPO roles. It was a learning experience for WIPO, he says. “The big lesson for me is that sometimes practical solutions can be more effective than treaties.” It’s a lesson that Gurry hopes to carry forward in WIPO’s realignment: finding streamlined, practical solutions to real problems. Gurry is passionate about it – something he hopes rubs off on his colleagues. “I’m hopeful for the regeneration of enthusiasm among the staff,” he reveals. “Already I think there is more optimism here.”

*Adam Smith, World Trademark Review, London*

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