

Geneva, October 2002

MUSIC AND TEXTILES FROM ASEAN



IP ASSETS: STRATEGIES FOR GOVERNMENTS AND BUSINESS



PCT: CONTINUING GROWTH IN DEVELOPING COUNTRIES





WIPO'S MISSION STATEMENT

*To promote through
international cooperation
the creation, dissemination,
use and protection of works
of the human spirit for the
economic, cultural and
social progress of all
mankind.*

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Geneva,
October 2002

MUSIC AND TEXTILES FROM THE ASEAN COUNTRIES

EXHIBITION



Myanmar

On the occasion of the opening of the Assemblies of Member States of WIPO, the Organization hosted an exhibition entitled "Music and Textiles from the ASEAN Countries" at its headquarters in Geneva. The exhibition opened on September 24 and will continue through October.

Composed of a broad collection of musical instruments, textiles, and videotapes of musical performances and craftspeople at work, the exhibition provides vivid examples of how different peoples of the region combine the use of natural materials such as wood, bamboo, plants, and fibers to create instruments, articles of clothing, and decorative items. The results – a wide variety of design, color and textures – provide insights into how human creativity works and how it enriches everyday life around the world.

WIPO is actively engaged with its Member States in promoting a broader understanding of the value of human creativity and innovation, its role as a vital national resource, and how all nations can benefit from an efficient and equitable intellectual property system that encourages such creativity. WIPO is exploring, with its Member States, how intellectual property systems may apply to traditional knowledge and folklore, traditional creativity and cultural expressions.

Music and Textiles

The missions of the ten nations of the ASEAN region – Brunei Darussalam, Cambodia, Indonesia, the Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam – provided generous support in collecting the artifacts for the exhibition, which is on view in the WIPO Information Center of WIPO headquarters (open weekdays from 9 to 5 through October). Silks and brocades, cottons and *batiks*, sumptuous gold and silver embroidery, gold dust, gold leaf, as well as beautifully woven everyday garments, sheets, pillows, saddle cloths for horses, burial cloths and much, much more, are all found in the countries of the ASEAN region.



Lao People's Democratic Republic



Indonesia



Cambodia

The development of musical instruments has naturally been dependent on the materials available, the technological skills of the people, mythological and symbolic motifs, and patterns of trade and migration. Each country features its own distinctive styles; however, there are various families of instruments that are more or less common, such as chimes, gongs and xylophones.



Brunei Darussalam



Myanmar



Thailand



Indonesia



Philippines

Malay Traditional Dance

To celebrate the opening of the exhibition, WIPO hosted the Briged Seni Cultural Troupe of Malaysia, which performed a variety of entertainment from the ASEAN countries. The mix of song, dance and colorful traditional costumes highlighted the region's rich cultural heritage.



Shadow Play *Wayang Kulit*

As part of the exhibition of ASEAN folklore, Mr. Pak Nasir, a world-renowned *Tok Dalang* (puppet master) from Malaysia, performed the traditional art of *Wayang Kulit* storytelling to groups of students invited to WIPO from September 24-26.

Traditional shadow play, popular in many oriental and Middle Eastern countries for more than 1,000 years, is still practiced in its oldest form in China, India, Indonesia and many other parts of Asia. In Malaysia, *Wayang Kulit*, an ancient form of storytelling from the villages, is found mostly in the state of Kelantan. This version of shadow play probably came to Malaysia from Cambodia through Thailand.

In *Wayang Kulit* the puppet master or *Tok Dalang* deftly manipulates his puppets behind a large white screen. A light projects the shadow of the puppets on the screen as the audience listens to the master puppeteer vary his tone to suit each character – narrating, animating and singing. The *Tok Dalang* uses up to 13 different voices to captivate his audience.

The puppets are made of buffalo hide and have at least one movable arm. In Malaysia the stories are traditionally based on the Hindu epic of Ramayana and the characters are usually kings, princes, princesses, demons and monsters. Sometimes,



local Malay folklore stories are adapted. A troupe of seven or eight musicians on drums, gongs, cymbals and an aerophone (a flute-like instrument with a double reed) accompany the *Tok Dalang*. The musical arrangement is based on his inspiration and the story line.

After each performance, a WIPO staff member gave a short briefing on the Organization's work in the areas of traditional knowledge and folklore.



This article is a follow-up to the "IP Assets Development and Management: A Key Element of Economic Development" published in the July-September issue of the WIPO Magazine. In this issue, and in following issues, we will give you a more in-depth view of the "Key Components" for IP Assets Development and Management that WIPO is studying as part of its ongoing IP Assets Project.

Strategic intellectual property (IP) planning can be seen as having 8 sub-components: IP auditing, strategic IP plans, clustering target areas, human capital development, incentives, diminishing "brain drain", policies to benefit small and medium-sized enterprises (SME), and regional cooperation and markets. A strategic IP policy incorporating all of these components is a first essential step in stimulating economic growth through IP Asset development and management.

IP Audit: An Essential First Step

The IP audit permits a nation, a university, an enterprise or a research and development (R&D) center to assess its existing stock of valuable intellectual property and human capital. It is a familiar tool used in private enterprise that is being expanded to use as a tool in public policy. Different methods for IP audits exist. It may be as simple as a list of existing IP, for example, the number of patents and trademarks filed and issued

according to residents vs. non-residents, identification of technology/cultural industries that may be sources of IP, lists of research institutions, and data on licensing transactions and royalty revenues. It may also be a more sophisticated assessment of trends in IP protection over time, and how such trends match or do not match economic and educational focus areas. Such an audit may also include data and statistics on joint ventures and foreign direct investment involving IP, technology licensing at research institutions, investment in R&D, and assessment of human capital development.

Strategic IP Plans

After the IP audit, a written strategic IP plan creates a plan and strategy for developing and managing IP over a period of time. Parallel to the business plan used in private enterprise, it outlines the national or regional approach for developing

and importing human capital and IP, and for commercial exploitation of these assets. The plan may be in the form of a white paper, recommendation by an advisory board, or another analytical document.

This plan of action will specify objectives, mechanisms, actions, costs, and resources, as well as links with other planning tools, including economic, education, and policy plans. Many countries have developed stand-alone IP plans, economic plans with IP components, or multifaceted strategic plans integrating education, technology, commerce, IP and finance.

Varying examples of strategic IP planning can be seen in various ASEAN countries. Several of these countries have written IP and technology development plans with identified phases, objectives, activities and deliverables. They address education, funding, identify priority areas for research, human

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WHY IP ASSET DEVELOPMENT AND MANAGEMENT?

Many countries are seeking practical information on how intellectual property (IP) can be used to promote economic growth. IP (including patents, trademarks, trade secrets, industrial designs, geographical indications, and copyright) is an economic asset. Like other types of property, it can be developed and managed so that it creates an economic return. Proactive policies can be undertaken by enterprises and by nations to support the development and management of IP Assets.

Why do IP Assets have economic value? IP Assets, when properly managed, can:

- ▶ help generate revenues from product sales and licensing royalties;
- ▶ increase GDP and exports;
- ▶ retain high-value technical personnel;
- ▶ create employment, support educational and research institutions;
- ▶ attract high-value foreign direct investment and joint ventures;
- ▶ enhance corporate valuation, and support the development of new technical and cultural industries;
- ▶ promote funding for R&D, which provides and enhances needed technologies and products.

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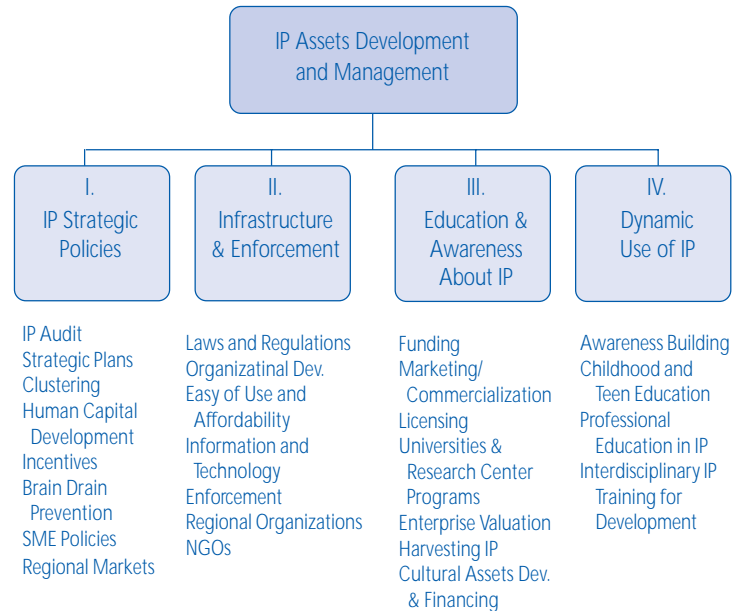
resource development needs, and the expected products for research initiatives. Recently, the French-speaking nations of Africa, under the leadership of the African Intellectual Property Organisation (OAPI), also adopted a comprehensive plan for IP development in connection with an initiative to strengthen traditional medicine.

Clustering: Target Specific Areas

Nations successfully implementing IP Asset Development and Management programs select clusters or target areas in which the country may gain a competitive advantage, or which harmonize with national needs and capacities. This creation of cluster areas may also work as a strategy for researchers and enterprises.

For example, the Department of Science and Technology in the Philippines has published a list of seven "Priority Science and Technology Areas", which includes information technology, electronics instrumentation and controls, photonics, and space technology applications. These areas form the basis for human resource development planning as well as R&D funding decisions.

The Malaysian Multimedia Development Corporation (MMDC) has also identified seven areas of "Flagship Applications" to accelerate the objectives of Vision 2020, a project to create an information and



As shown in this diagram, IP Asset Development and Management has four key components, each of which is broken down into sub-categories consisting of policies, practices and techniques. All of these components are interrelated. IP Assets must be seen in the context of a total system, involving government policies, education, technology policy, funding, infrastructure and other elements.

communication technology area in Malaysia to attract world-leading multimedia companies. In Thailand, the National Science and Technology Development Agency has identified three strategic research areas – biotech/genetic engineering, metals and materials technology and electronics/computer technology. In the Arab region, the Kingdom of Jordan has identified pharmaceuticals and IT as its focus areas.

Human Capital Development

Recognizing that IP policy must always be congruent with education policy, many countries working on IP Assets Development have emphasized the crucial importance of human resource development. The education of young people, as well as adults, to develop and upgrade skills related to the clusters or target

areas identified is a key part of national and regional IP policies and plans. Without the capacity to educate scientists, technologists and creators in key areas corresponding to the economic clusters where IP will be cultivated, a strategic IP plan cannot be implemented in practice.

One example of congruence between IP policy and human resource development can be observed in Singapore, where the Infocomm Development Authority has developed a training framework that focuses on the training needs of the different segments of the Singapore population involved in the high technology industries identified as information communication. It comprises five levels of training to meet specific needs for information communication skills. Level 5 - Infocomm Specialization - focuses on skills upgrading to accelerate the development of

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emerging, critical and specialized information communication skills urgently required by industry.

Incentives

The next element of IP Strategic Planning involves establishing multifaceted financial incentives and support for IP Assets development and commercialization. These include tax incentives, payments, patent application funds, venture funds for SMEs in cluster areas, and financial rewards in private enterprise for inventors and creators.

In Canada, the Ontario New Technology Tax Incentive allows corporate taxpayers a 100 percent immediate write-off of the eligible cost of intellectual property acquired in the course of an IP transfer for the purpose of implementing an innovation or an invention in the corporation's business in Ontario. WIPO is surveying and gathering data on other financial incentives as part of its IP Assets Project (see box).

IP ownership may serve as a powerful incentive for invention. In many countries, universities and R&D centers, as well as private enterprises, are developing policies that permit individuals to retain ownership or interests in IP that they have created. The Institut Teknologi Bandung in Indonesia is a pioneer in programs that give local experts and professors financial benefits related to their productivity and inventiveness. In the United States, Stanford University pioneered the

practice by permitting professors to retain interests in their inventions and developing a dynamic technology licensing office.

Reducing Brain Drain

Incentives also work as part of efforts to attract and retain talented human capital in cluster areas. Measures to combat or reduce the "brain drain", such as research facility grants, R&D networks, incubation centers, R&D parks, venture funds to support invention, and programs to support artists and cultural industry development are all a part of IP Strategic Planning.

The European Commission recently committed nearly 1.6 billion Euros to induce local scientists to remain in Europe. Spending on combating the "brain drain" is to increase by 50 percent in the next five-year plan.

The European Union (EU) funds will be spent on incentives, such as research facility grants, to attract researchers back from abroad.

SME Policies

SME policies are important and should include support for and study of enterprise IP policies that may be integrated into business plans and corporate planning. These policies help SMEs use the IP system by fully exploiting their existing IP Assets and improving their creation, development and management. Such policies include outreach programs to train IP personnel in the SME sector, awareness and training programs for business owners, identifying IP office personnel to work specifically with SMEs, programs to make IP protection affordable for SMEs, and a myriad of other approaches. SMEs are key

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to IP Asset Development and Management as they are often the venue where new technologies and creativity are incubated. Innovation promotion policies encourage and support local R&D and the creation and exploitation of IP.

In this regard, and with the ultimate objective of supporting innovative entrepreneurs in Europe, the 15 EU Member States have adopted the Gate2Growth Initiative as part of the Innovation/SMEs Program to provide "access to private innovation financing and tools for better knowledge exploitation". In addition, the initiative focuses on helping important support players – such as early stage technology venture capital investors, managers of technology incubators, and managers of industrial liaison and technology transfer offices linked to universities and research centers – to improve their capacity to assist entrepreneurs by networking and exchanging information and good practice at the European level.

Gate2Growth provides tools, infrastructure and support services directed to all of these groups. It also offers three pan-European networks to enhance professional development: the I-TecNet with over 70 early stage technology venture capital investors, the G2G Incubator Forum with 150 technology incubators, and the G2G Finance Academia for academics and entrepreneurship trainers. The Innovation/SMEs Program for Financing Innovation also actively

WIPO has begun work on an IP Assets Project to identify and gather data concerning the key policies, strategies, practices and techniques that are being undertaken by Member States, and that appear to be effective in enabling businesses and nations to use IP as a tool for economic growth. The Organization is studying how developing countries can implement policies and practices that stimulate and support the development, accumulation, and use of "IP assets", through locally developed as well as imported inventions and works.

supports the establishment and development of the European Venture Capital Association (EVCA), which currently brings together more than 400 professional venture capital operators.

Regional Cooperation and Markets

Finally, strategic IP planning and enterprise IP policies necessarily require identification of the market in which IP Assets will be developed, used and commercialized. More and more countries are examining sub-regional or regional approaches to IP Strategic Planning. These permit inventors to target where they will seek protection for IP based on their need to exercise their IP rights. Also, policies relating to regional cooperation in IP and in R&D permit nations to leverage the costs and resources associated with the development of IP Assets. Training of IP professionals may be carried on in regional centers with sharing of expert professors. Regional cooperation, especially in the form of R&D networks or IP consortia,

permits cross-licensing of IP Assets and joint ventures for the development of innovative technologies. Technology licensing offices and other management functions related to IP commercialization may also be shared.

In sum, for IP Asset Development and Management to succeed, it must benefit from strategic public and private policies, as well as coordinated goal setting with consultation from all stakeholders including policymakers in government, private enterprise and academia. The experience in many countries demonstrates that there are many ways to support the development and management of IP as an economic asset.



The Next Issue of WIPO Magazine will explore the role of Infrastructure and Enforcement in IP Asset Development.

PRACTICAL IP ISSUES IN DEVELOPING A BUSINESS PLAN

Writing a business plan is a crucial step in charting a route to business success. A good business plan provides an overview of where a business is, how it plans to position or reposition itself, and how it seeks to achieve its business objectives. A well-prepared and regularly updated business plan is a valuable management tool that serves a variety of purposes, such as:

- ▶ To **examine the feasibility of taking a business idea to the market**: A written business plan forces a company to think through all the key issues - such as the potential demand for its products or services, the nature of the competition, entry barriers, the unique selling proposition of the new or improved products or services, resources required, key employees, relevant technologies and strategic partners, raising funds, projected start-up costs, marketing strategies, and the like.
- ▶ To **access start-up services and financing**: Business incubators and potential investors and lenders require well-formulated and realistic business plans. As this is often not the case, some 80 percent of business plans received by investors and business incubators are rejected.
- ▶ For **strategic guidance**: A business plan is a reference document that provides management with an objective basis for determining whether the business is on track to meet its goals and

objectives with the available resources in a set timeframe.

- ▶ To furnish a **benchmark** for judging future business decisions and results.

Why integrate intellectual property in a business plan?

To be accepted by a business incubator or to attract investors, a business plan should reveal the coherence of the business idea. It must provide credible evidence of effective or potential demand for the products or services in the market place, the superiority of the new or improved products or services over those of its competitors, and the steps taken to protect them from dishonest competition. For more and more businesses, **new or original knowledge** and/or **creative expression of ideas**, protectable by the system of intellectual property (IP), underpin their competitive advantage and success. Therefore, a business plan should cogently reflect how the company plans to protect, manage and leverage its intellectual property assets for business success.

Patents provide exclusivity for the commercialization of inventions and often play a crucial role in convincing investors or lenders. One or more patents along with industrial design registrations are often the best proof of an entrepreneur's or company's ability to exclude competitors from free riding on the novel/original or aesthetically attractive features of its products or services.

Trade names, trademarks and **domain names** may also be prime elements that differentiate a product or service from those of competitors. Therefore, a business plan should demonstrate that steps are planned or have been taken to create, register and effectively use these intangible assets to win and retain market share from competitors.



In high-tech sectors, where the possibility of inadvertently infringing a third party's intellectual property rights is great, it is important to get a thorough search of patent or trademark databases done by a specialist so as to mitigate the concerns of start-up service providers and potential investors and to improve the chances of acceptance of the business plan.

Confidential business information such as details of production, inventions, and technical, financial and marketing know-how is often the source of competitive advantage. It is, therefore, essential to communi-

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cate to start-up service providers and investors/lenders that an enterprise has proprietary business information and that adequate steps have been taken to protect it. In fact, even the business plan itself is a secret document that should only be disclosed on a need-to-know basis.

How can intellectual property be integrated into the business planning process?

Many a business has failed because the answer to the following question was incorrect: "What business is this company in?" On the face of it, this may seem a simple question to answer, but a clear and precise understanding of the business and its environment is essential to answer the question. This involves taking an integrated look at a number of issues, such as the feasibility and viability of the business model; resources required; target markets; growth potential of the business, etc. In each of these areas the business planner must also be aware of the commercial relevance of intellectual property assets, whether owned or licensed from another, and of the resources that may be needed to obtain, maintain and use these assets.

Below are a few key questions concerning intellectual property issues that should be considered while preparing a business plan. The list is not exhaustive, as many additional issues will have to be considered depending on circumstances of each business. The answers to these questions should help a company to integrate intellectual property assets into its business planning process.

- ▶ What intellectual property assets does the business own?
- ▶ What is the status of the company's intellectual property portfolio?

Summary – Business plans are a crucial tool for approaching investors and considering the market opportunities for your business. Because IP provides your enterprise competitive advantages and increases its value, it is necessary to let investors know about your IP assets by adequately integrating them into your business plan.

"IP can be a highly valuable asset. If you manage and ascribe a value to IP on your balance sheet, your business is more attractive to potential investors... Once valued in your business plan, IP may be used to gain access to more finance to help expand your business. Also, the more you exploit your position in the market place, the more value that property will have when it comes to licensing it or selling your business."

*by Rick Gould,
Deputy Director General, IP Australia*

Hence, intellectual property assets, albeit intangible, are important business assets and should form a key part of every aspect of a good business plan. Reference to the assets of a company and its market opportunities should list both the tangible and intangible assets, as the latter are often the key to business success. ***As such, any indication that confirms due diligence in protecting intellectual property assets is likely to play an important role in convincing start-up service providers and investors/lenders of the company's potential.***

- ▶ How does the company protect its intellectual property assets?
- ▶ How important are these intellectual property assets to business success?
- ▶ Does the company own all the intellectual property assets that it needs to succeed, or does it have to rely on the intellectual property assets of others?
- ▶ What is the competition's intellectual property strategy and portfolio?
- ▶ What is the company's intellectual property policy and strategy?

For details of issues under each question, please visit the web site of the SMEs Division of WIPO at http://www.wipo.int/sme/en/ip_business/managing_ip/business_planning.htm.



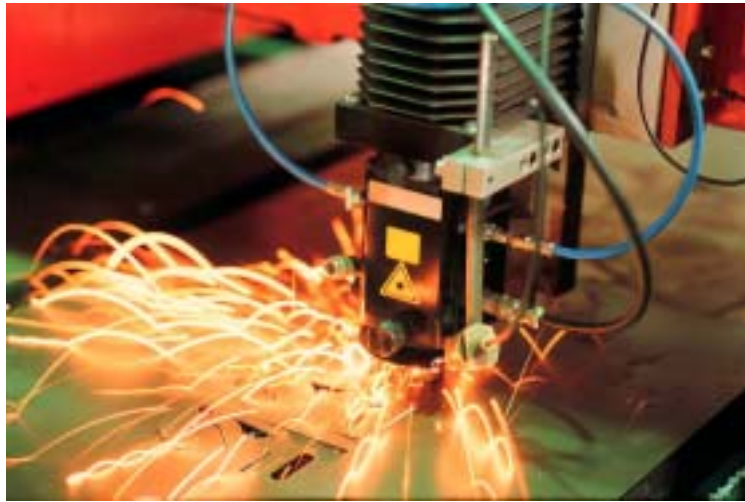
The next article in the IP and Business series will discuss "IP ownership - avoiding disputes with employees and external contractors".

PCT APPLICATIONS CONTINUE TO GROW IN DEVELOPING COUNTRIES

The Patent Cooperation Treaty (PCT) is reporting continued growth in the number of international patent applications filed by industries and inventors from developing countries. Compared to the same period last year, the first six months of the year saw sustained growth in PCT filings in India, up 43 percent, Mexico, up 33 percent, South Africa, up 14 percent, and Singapore, up 5 percent.

Of the 57,818 PCT applications filed between January 1 and June 30 this year some 2,593, or 4.5 percent, were from developing countries. In 1996 – just 6 years ago – PCT applications from developing countries represented only 0.5 percent of the total number of applications filed. The number of applications from developing countries rose from 680 in 1997 to 5,379 in 2001.

Of the applicants from developing countries, Biowindow Gene Development Inc. of China filed the largest numbers of applications, followed by the Council of Scientific and Industrial Research of India, Huawei Technologies Co. Ltd. of China, Samsung Electronics Co. Ltd. and LG Electronics Inc., both in the Republic of Korea.



Preferential Fees

The PCT, which has facilitated the process of seeking patent protection internationally since coming into effect in 1978, offers preferential fees for developing country applicants who fulfill certain criteria. From January to June 2002, some 15 percent of PCT applications from developing countries benefited from a 75 percent reduction in certain PCT fees.

While use of the PCT continues to grow in developing countries, the largest users of the system remain developed countries. In 2001, in-

ventors and industries from the United States of America topped the list, accounting for 38 percent of applications filed. They were followed by their counterparts in Germany, Japan, the United Kingdom and France. Overall, the PCT, which has sustained double-digit growth every year since 1984, received 103,947 applications in 2001, a 14 percent increase in the total for 2000.



SUMMER SCHOOL ON INTELLECTUAL PROPERTY

WIPO started its summer school on intellectual property in 1998 to provide an opportunity for senior students and young professionals to acquire greater knowledge of intellectual property and of the role and functions of WIPO. In those 5 years, 122 students from 69 countries have participated in the program.

Class of 2002

Some 24 students from Argentina, Bangladesh, Brazil, Cameroon, Colombia, Egypt, Finland, France, Guyana, India, Jordan, Malawi, Mauritius, Nigeria, Poland, Romania, Singapore, Sudan, Thailand, Tunisia, Ukraine, United States of America, Uzbekistan and Zambia participated in this year's program. The selection of students sought to reflect an equitable geographical distribution and gender balance, and includes students from both developing and developed countries. The Academy also selected a number of students from its partner institutions. Students of a comparable level of academic achievement were selected for the course.

The students expressed various reasons for their interest in the WIPO summer school. Joyce Tan, a recent law school graduate from Singapore, had just been called to the Bar and wanted to gain in-depth knowledge of intellectual property issues. Karl Mutter from Colombia thought the course would give him a competitive edge in his law firm. Other students said the course would provide an opportunity to form networks that could prove beneficial in their future careers.

At this year's opening ceremony WIPO Deputy Director General Roberto Castelo delivered a lecture on the work of WIPO and the challenges facing the Organization within the context of globalization. Professor Marsha Echols, Faculty of Law at Howard University in the U.S., conducted a wide-ranging discussion on intellectual property issues and food security. Mr. Bertrand Ramcharan, United Nations Deputy High Commissioner for Human Rights, delivered a lecture and held a discussion on human rights with the students.

The Program

The program of lectures, workshops and roundtable discussions covered all aspects of intellectual property and exposed the students to different fields of study, such as human rights and world health issues, encouraging them to consider the links between these fields and intellectual property.

Students are required to attend lectures and write research papers on an intellectual property-related subject, which they then present to the class. A certificate of participation is awarded to those who successfully complete all requirements.

Student Feedback

The consensus among previous students is that the program is an invaluable course of study. It helped to sharpen the knowledge and skills of those who were already exposed to intellectual property issues, while at the same time kindling an interest in others, many of whom indicated that they would now pursue further studies in intellectual property. Many of the students providing feedback said they thought they would have the opportunity to apply their acquired knowledge and experience in their future careers.

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Ayesha Dollie, who attended the summer school in 2001 and is now practicing intellectual property law in a South African law firm, said the program was instrumental in determining the course of her career. "Before the WIPO summer school, I had a legal background, but my very first exposure to intellectual property was a DL101 (Distance Learning) Course which coincided with the summer school," she said. "The summer school really gave me the inspiration and motivation to specialize and to make a career out of IP."

Miss Dollie was recently accepted into a university masters program in intellectual property. "I am positive that the time spent at the WIPO Academy will count in my favor," said Miss Dollie. "More importantly, the course has broadened my horizons as it opened my eyes to intellectual property on a global scale, which is where I see myself in the future. I would like to get involved in the global issues surrounding intellectual property, specifically in the context of Africa. This goal is solely attributed to the exposure which I had at the WIPO Academy."



WWA Summer School Class of 2002



WIPO Academy and Library

For further information on the WIPO Worldwide Academy summer course, please contact Academy.mail@wipo.int.

FORUM ADDRESSES PUBLIC OUTREACH AND IP

PUBLIC
OUTREACH



Dr. R.A. Mashelkar, Director General of the Council of Scientific and Industrial Research, India, addresses the Forum on the theme of "Effective Use of the IP System for the Benefit of Developing Countries"

Public outreach campaigns that promote the value of intellectual property are increasing in number and reach in both the public and private sectors. Governments and industry groups have recognized the need to explain to a broad audience how intellectual property systems not only reward creators and inventors but also contribute to the greater social good.

The need for such public outreach campaigns – as well as how to plan and execute them – was explored by some 125 participants at a regional forum held September 4 to 6 in New Delhi. The forum was part of WIPO's ongoing efforts to work with Member States in creating and shaping national campaigns to help demystify intellectual property.

The "WIPO Asia-Pacific Regional Forum on Policy Imperatives and Role of Institutions in Implementing a Public Outreach Strategy for Intellectual Property" was jointly organized by WIPO, the Indian Ministry of Commerce and Industry (Department of Industrial Policy and Promotion), and the Federation of Indian Chambers of Commerce and

Industry (FICCI). The three-day program drew participants from 23 countries in the Asia and Pacific region.

"There is no 'one size fits all' approach for public awareness programs," said Mr. V. Govindarajan, Secretary, Department of Industrial Policy and Promotion of the Indian Ministry of Commerce and Industry in his opening address to the forum. "Every country needs to orient its public outreach programs according to its special needs. Close coordination, with R&D institutions, universities, and industry is needed to help identify target users and strategic needs."

The forum, which highlighted the value of intellectual property from a development perspective, featured speakers from China, India, Japan, Singapore, Sweden, and the United States, representing government institutions, non-governmental organizations, and industry. They addressed recent trends in intellectual property ranging from developments in electronic commerce to traditional knowledge and genetic resources. The role intellectual property systems play in technology

transfer and developments in the international patent system were also discussed. WIPO officials provided an overview of the Organization's activities in these areas, as well as its work with small and medium-sized enterprises and in public outreach.

With the overview of IP trends as a basis, the forum addressed the specifics of public outreach, providing participants with examples from both the national and international perspectives. "What is key in this area is that we compare experiences, practices, and results," said Mr. R.S. Lodha, President of the FICCI. "Sharing such information will help in establishing each country's program to suit their own needs."

Speakers from China, Singapore, and WIPO outlined their various activities in public outreach, highlighting the need to form partnerships between governmental, non-governmental, and private sector institutions to help launch and sustain campaigns. The various means available to reach target audiences such as school children, entrepreneurs, or consumers were also discussed, as were ways to maximize impact while minimizing costs. Key among these is the use of technologies such as the Internet, for low-cost dissemination of public outreach messages in various forms.

The need for tailor-made programs to meet specific demands in different countries was a recurrent theme

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"We need to sensitize our people to think in terms of creating value from intellectual property... It is question of explaining what it is, how the system works, and making people aware of the real potential of their work."

IP BRIEFING FOR CENTRAL AMERICAN JOURNALISTS

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expressed by participants as well as speakers. "If there is a problem with software piracy, your message must target software consumers," said Ms. Liew Woon Yin, Director General of the Intellectual Property Office of Singapore. "If it is a question of music CDs, you need to address a different message to a different audience."

Participants expressed a willingness to take "the IP message" to a wide variety of audiences in their countries, whether the general public, SMEs, young people, inventors, or researchers. "We need to sensitize our people to think in terms of creating value from intellectual property, to get them thinking in terms of patents and profits instead of pure research," said Dr. Swatantra Prakash, head of Research and Development Planning & Business Development at the National Metallurgical Laboratory of Jamshedpur, India. "If we can do that we will make a major step forward. It is a question of explaining what it is, how the system works, and making people aware of the real potential of their work."

Added Mr. Atullah Khattak of Pakistan's Ministry of Commerce: "We all want to do public outreach, and this provides a solid starting point. Seeing what others have done in this area helps us move forward. We can compare this with our own needs and go from there."

WIPO organized, in cooperation with the *Central American Economic Integration Secretariat* (SIECA) and the Government of El Salvador, a regional seminar on intellectual property for journalists in San Salvador on August 22 and 23. Messrs. Carlos Quintanilla Schmidt, Vice-President of El Salvador, Félix Garrid Safie, Executive Director of the National Center of Registries (CNR) of El Salvador, and Alejandro Roca Campañá, Director of the WIPO Cooperation for Development Bureau for Latin America and the Caribbean, inaugurated the event.

The seminar presented the different media sectors with an overview of current intellectual property issues and stressed their responsibility in demystifying intellectual property and promoting its potential as a key tool for economic growth, accessible to all. Some 60 participants took part in the event, including journalists from Costa Rica, Guatemala, Honduras, Nicaragua and El Salvador, and the directors of the intellectual property offices of Central American countries.

Heads of IP Offices Meet

Prior to the seminar the directors of the intellectual property offices attended the Sub-Regional Meeting of Heads of Intellectual Property Offices of Central American Countries, which took place in San Salvador on August 21 and 22. The meeting provided a forum for high-level discussions and for exchange of informa-

tion on the main cooperation activities in the area of industrial property and copyright between WIPO and Central American countries. It also established priority areas and provided orientation for activities and projects to be included in the program of cooperation activities for 2003 and the biennium 2004-2005.



The participants also used the opportunity to share experiences relating to the modernization of the legal framework for intellectual property protection, participation in international treaties administered by WIPO, jurisprudence projects in the field, management of national intellectual property offices, use of information technologies related to the electronic publication of patent applications, promotion of the intellectual property system, collective management of copyright, and other aspects included in the cooperation agenda of the region.

Mr. Félix Garrid Safie, CNR, and Mr. Alejandro Roca Campañá, WIPO, greet a Salvadorean journalist.

LAOS SEEKS ASSISTANCE ON TRADITIONAL KNOWLEDGE

At the end of August, WIPO conducted an expert mission to Lao Peoples's Democratic Republic at the request of its Government to discuss and explain the intellectual property aspects and implications of traditional knowledge documentation. The team of experts visited three institutes, each from a different government ministry, involved in work relating to traditional knowledge. They conducted a short workshop on the subject matter for officials of the Department of Intellectual Property, Standardization and Metrology.

Institute for Cultural Research

The first visit was to the Institute for Cultural Research of the Ministry of Information and Culture. This institute is working to collect, document and make accessible traditional arts, textiles, and oral literature. It is also developing an electronic database of cultural expressions and an encyclopedia of musical instruments. The institute's underlying objective is to preserve and conserve both the material aspects and oral traditions of Laotian culture. The Institute had not yet considered questions of legal protection, nor those concerning the intellectual property aspects of documentation and dissemination to the public.



Traditional Medicine Research Center

The team also visited the Traditional Medicine Research Center under the Ministry of Public Health. The center is in the forefront of drafting a regulation to protect medicinal plants from extinction, based on the names and description of the plants. However, their work is more concerned with the physical conservation than with the intellectual property aspects of access to and benefit sharing in plant genetic resources. The Center has also begun to publish an inventory of medicinal plants in the form of a journal containing photographs and the names of the individuals who identified them. The Center has entered into research agreements with a university in the United States, the International Cooperative Biodiversity Group (ICBG), and other research and academic institutions in neighboring countries in an effort to discover prospective medicinal products. Center officials told the visiting team that they were not aware of the strategic intellectual property implications of such agreements, and were interested in the work being conducted by WIPO on access and benefit-sharing contracts and in the integration of traditional knowledge as searchable prior art.

Department of Handicraft

The third visit was to the Department of Handicraft, which is part of the Ministry of Industry and Handicraft. This department is responsible for

the preservation of handicrafts, ranging from textiles to jewelry, woodwork and pottery. The Japan Foundation sponsored a Department project to document handicrafts in a book entitled *Legends in Weaving*. Producers in foreign countries are imitating many of these handicrafts, which are believed to be of domestic origin.

The expert mission provided all three groups with information pertinent to their work, such as information on the issues involved and the work being done by WIPO in the traditional knowledge area.

The institutes and offices visited can be key beneficiaries of ongoing WIPO work in the traditional knowledge area, such as the database of contractual intellectual property clauses on access and benefit sharing agreements, the inventory of traditional knowledge-related journals, and, especially, the toolkit for the management of intellectual property before, during and after traditional knowledge documentation projects.

A two-day seminar on the economic benefits of intellectual property rights followed the visits to the institutes.



RECOMMENDATION ON NEW WIPO BUILDING

Members of the WIPO Program and Budget Committee, meeting from September 9 to 11, recommended the approval of a new administrative building to extend the Organization's premises, paving the way for the beginning of construction work. The Committee's recommendations were submitted for approval at the Assemblies of WIPO Member States at the end of September.

The new administrative building will provide a minimum of 560 working places and 280 underground parking spaces, with a construction budget of 157.5 million Swiss francs (CHF). Completion of the new construction is expected in 2007. WIPO currently rents office space in nine different buildings in Geneva.

Conference Hall

The Committee also considered the question of whether to build a conference hall offering 650 seats at a cost of 33 million CHF. While there was near consensus in favor of the construction of a conference hall, the Committee agreed to defer this question to the September session of the Assemblies. The Committee also emphasized the need to coor-

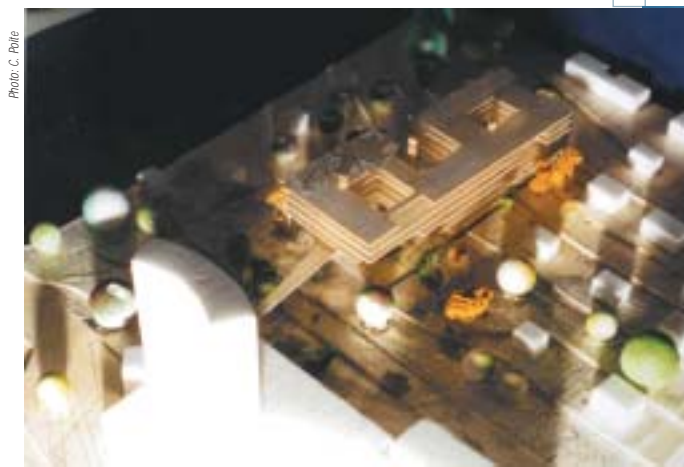
dinate the use of conference facilities within the United Nations system in Geneva.

Funding

The funding of the total construction project of 190.5 million CHF was presented in the context of a financial plan for the period up to 2009. The project will be funded without resorting to external borrowing and without increasing fees or contributions. WIPO is a largely self-financed organization, generating the bulk of its income from a series of services provided to the private sector.

Swiss Federal Audit Office

The previous meeting of the Assemblies in September 2001 had requested that the Swiss Federal Audit Office review proposals made by the Secretariat for the new construction. The Swiss Federal Audit Office concluded that a construction cost of 190.5 million CHF is a reasonable amount for the new administrative building and the conference hall in accordance with standards of the Swiss Association of Engineers and Architects (SIA).



The new building will be linked to the Arpad Bogsch building and will provide 560 working places and 280 underground parking places

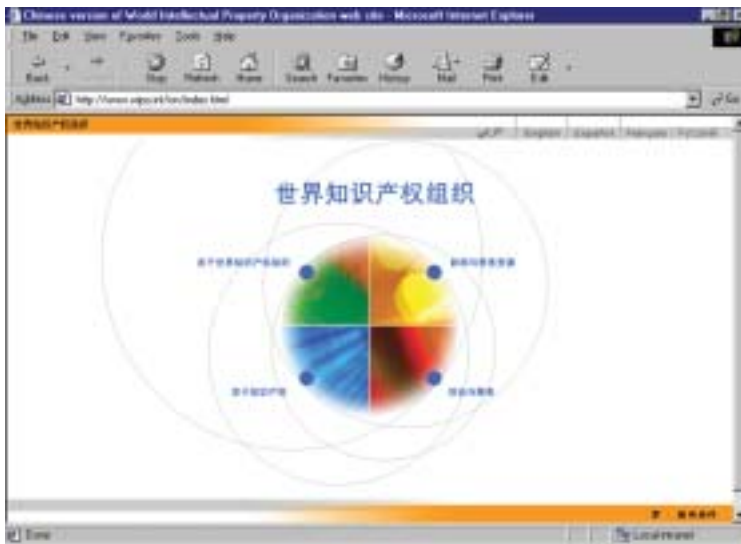


WIPO LAUNCHES CHINESE WEBSITE

WIPO launched a Chinese language version of its website in mid-September as part of its efforts to make important intellectual property-related material more readily available to a larger audience. Users can now access intellectual property resource material in the six official languages of the United Nations, namely, Arabic, Chinese, English, French, Russian, and Spanish at the WIPO website: <http://www.wipo.int>.

In the first six months of the year, the WIPO website (the main site plus 12 subsidiaries) registered some 140 million hits from all over the world, a 65 percent increase over the same period last year. WIPO is increasingly harnessing the potential of modern information technologies to disseminate intellectual property-related information.

The Chinese website contains most of the treaties that are administered by WIPO, as well as general information about WIPO and intellectual property. It also provides a schedule of forthcoming meetings and access to a broad selection of conference documents. Pointers are also provided to information that is available in other languages.



WIPO ARBITRATION AND MEDIATION CENTER

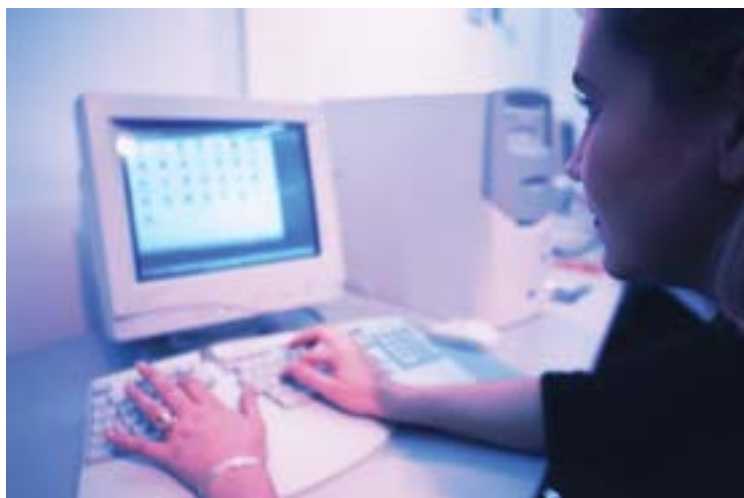
A new top-level domain (gTLD), .aero, reserved exclusively for the aviation community, has retained the WIPO Arbitration and Mediation Center as sole dispute resolution provider. WIPO assisted SITA (*Société Internationale de Télécommunications Aéronautiques*), the registry operator, in the implementation of a number of dispute resolution mechanisms – the Charter Eligibility Dispute Resolution Policy (CEDRP) and the Eligibility Reconsideration Policy (ERP) – that came into effect in August.



On August 26 the Center issued the final decision on the cases received under the *.info* Sunrise Challenge Policy. This completed the processing of all 1,579 Sunrise Challenges and all 13,592 Challenges of Last Resort (CLR) filed with WIPO.

AIMS PROJECT CONTRACT SIGNED

The AIMS (Administration Information Management System) Project, formally launched in January with the objective of replacing WIPO's 16-year-old finance system, will provide the Organization with a modern integrated accounting and budgetary control system. Following a process of software evaluation and selection with the participation of the user community and outside consultants, WIPO signed a contract with *PeopleSoft* in September for the purchase of software for the new AIMS system.



This system will allow WIPO to process and meet the growing demand for accurate up-to-date financial management information. It will also provide Member States with online access to relevant financial information without any special software. More importantly, the system will be able to support WIPO's results-based budget and the way that WIPO manages and presents its financial information. As a result, program managers within WIPO will see a significant improvement in the quality and quantity of financial management information available, which will make it easier for them to monitor the budgets for the projects and activities under their responsibility. In terms of improvements to current business functions, the processes within the finance and budget areas will be streamlined to improve productivity and enhance the services given to Member States.

To ensure the successful delivery of the project, users of the system are involved in every step. The AIMS team itself is currently completing its recruitment process: the intent is to have a blend of internal and external consultants with financial experience providing feedback to the AIMS project manager. The team is also drawing on in-house knowledge from previous projects and has

held consultations with other UN organizations where similar projects have been undertaken.

WIPO expects the new system to eventually be used by other administrative areas of Organization. Implementation of the product will be carried out in phases, beginning in the 2002-2003 biennium with finance and budget.



FOCUS PROJECT

WIPO successfully completed the FOCUS Project to upgrade the Organization's internal information technology networks and infrastructure in August. The project spanned almost three years and has provided WIPO with state-of-the-art information technology capabilities that are designed to support production systems, such as IMPACT, WIPONET and PCT-SAFE, well into the future. WIPO will continue to improve on the secure network and infrastructure of the FOCUS Project to ensure that the Organization remains up-to-date with the constant evolution of the information technology world.



CALENDAR of meetings

OCTOBER 21 TO NOVEMBER

GENEVA

Committee of Experts Under the Locarno Agreement Concerning the International Classification for Industrial Designs (Eighth session)

The Committee of Experts will decide on the adoption of proposals for amendments and additions to the current (seventh) edition of the Locarno Classification, which should enter into force on January 1, 2004, with the authentic English and French version of the new (eighth) edition of the Classification.

Invitations: As members, the States members of the Locarno Union; as observers, all Member States of the Paris Union which are not members of the Committee and certain organizations.

OCTOBER 28 TO NOVEMBER 1

GENEVA

The Permanent Committee on Cooperation for Development Related to Intellectual Property (PCIPD)

The Permanent Committee will evaluate the implementation of cooperation for development activities since January 2001 and consider the strategic direction of the Program for the upcoming biennium.

Invitations: As members, the States members of WIPO; as observers, certain organizations

NOVEMBER 4 TO 8

GENEVA

Standing Committee on Copyright and Related Rights

The Committee will continue its discussions on the protection of broadcasting and of non-original databases. It will also discuss its future workplan.

Invitations: As members, the States members of WIPO and/or the Berne Union, and the European Community; as observers, certain intergovernmental and non-governmental organizations.

NOVEMBER 11 & 12

GENEVA

WIPO Workshop for Arbitrators

An annual event for all parties interested in WIPO arbitration procedures.

Invitations: Open to interested parties, against payment of a fee.

NOVEMBER 11 TO 15

GENEVA

Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) (Ninth session)

The Committee will continue its work, based on the results of the eighth session.

Invitations: As members, the States members of WIPO and/or the Paris Union; as observers, other States and certain organizations.

NOVEMBER 13

GENEVA

Domain Name Panelist Meeting

The meeting is being held to provide panelists with information on the latest developments in the Internet dispute resolution cases and procedures.

Invitations: Restricted to WIPO domain name panelists.

NOVEMBER 14 & 15

GENEVA

WIPO Workshop on Domain Name Dispute Resolution

An event for all parties interested in WIPO Internet domain name resolution.

Invitations: Open to interested parties, against payment of a fee.

NOVEMBER 25 TO 29

GENEVA

Standing Committee on the Law of Patents (Eighth session)

The Committee will continue its work on further harmonization and other issues relating to patent law.

Invitations: As members, the States members of WIPO and/or of the Paris Union; as observers, other States and certain organizations.

DECEMBER 2 TO 6

GENEVA

Standing Committee on Information Technologies (SCIT) - Standards and Documentation Working Group (SDWG) (Second session)

The Working Group will continue its work in the revision of WIPO standards and will receive reports from the different SDWG task forces that have been established for that purpose.

Invitations: As members, the States members of WIPO and/or the Paris Union; as observers, certain organizations.

NEW PUBLICATIONS

WIPO Annual Report

Arabic 441A)
Chinese 441(C)
French 441(F)
Russian 441(R)
Spanish 441(S)
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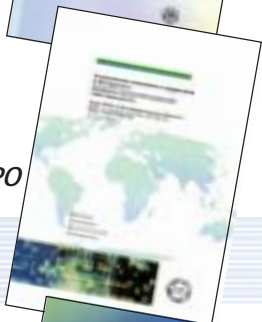
La reconnaissance des droits et l'utilisation des noms dans le système des noms de domaine de l'Internet

French 843(F)
Spanish 843(S)
free of charge



The Management of Internet Report of the WIPO Internet Domain Name

Russian 439(R)
free of charge



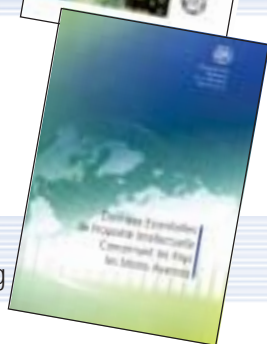
Joint Recommendation Concerning Provisions on the Protection of Marks, and other Industrial Property Rights in Signs, on the Internet

English 845(E)
French 845(F)
Spanish 845(S)
15 Swiss francs (plus shipping and handling)



Données Essentielles de Propriété Intellectuelle Concernant les Pays les Moins Avancés

French 486(F)
15 Swiss francs (plus shipping and handling)



The WIPO Internet Treaties

English L450IN(E)
French L450IN(F)
Spanish L450IN(S)
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Le système de Madrid concernant l'enregistrement international des marques

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