



Delivery of WIPO Technical Assistance

Manual

2014 Edition

PREAMBLE

This Manual is prepared in response to a recommendation made by Member States of the World Intellectual Property Organization (WIPO) at the Eleventh Session of the Committee on Development and Intellectual Property (CDIP) which called for more transparency in the delivery of WIPO technical assistance and requested WIPO to compile existing technical assistance related materials into a comprehensive Manual on delivery of technical assistance.¹

The Manual seeks to serve as a portal to technical assistance activities and services offered by WIPO. It is addressed to Member States, institutions and individuals interested in WIPO technical assistance programs in developing countries, least developed countries and countries in transition.

The Manual is presented in a single user-friendly document.

In its introduction, it highlights the overriding goal of technical assistance and the WIPO Development Agenda principles guiding technical assistance delivery.

The first section gives an overview of the main features of technical assistance policies and processes that have been put in place to facilitate technical assistance delivery, monitoring and evaluation.

Lastly, the Manual highlights the main areas of technical assistance and related activities to enable interested individuals and institutions make informed choices as regards WIPO technical assistance programs.

The Manual's content is drawn from WIPO reports and materials on development tools and services, WIPO Program and Budget, Program performance reports, and various internal notes on technical assistance and capacity building.

¹ See CDIP/9/16 Joint Proposal by the Development Agenda Group and the Africa Group on WIPO's Technical Assistance in the Area of Cooperation for Development, May 8, 2012 and the Summary by the Chair of the Eleventh Session of the CDIP, May 13 to 17, 2013

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INTRODUCTION

I. OBJECTIVES AND DEVELOPMENT AGENDA PRINCIPLES

Technical assistance stems from the initial mandate of the World Intellectual Property Organization (WIPO) which is, *inter alia*, to promote the protection of intellectual property (IP) throughout the world through cooperation among States and, where appropriate, in collaboration with any other international organization.² To achieve this mandate, the Convention establishing WIPO specified in its article 4 (v) that *the Organization shall offer its cooperation among States requesting legal-technical assistance in the field of technical assistance*. This role was re-emphasized by the Agreement signed in 1974 between the United Nations and WIPO which called for cooperation in providing technical assistance for development in the field of intellectual creation and promoting and facilitating transfer of technology to developing countries.³

In 2007, the Assembly of WIPO Member States adopted the Development Agenda which led to the mainstreaming of development into the work of the Organization and set as guiding principles that cooperation activities should be:

- development-oriented;
- demand-driven;
- transparent;
- country-specific; and

should take into account special needs, priorities, and different levels of development of Member States, with particular attention to the least developed countries (LDCs).⁴

In the light of the above-mentioned mandate and Development Agenda principles, the primary objectives of WIPO technical assistance are to:

- Help developing countries to reap the benefits of the IP system
- Reduce the knowledge gap between developed and developing countries; and
- Enhance the participation of developing countries in the global innovation economy; and their use of IP for development.

II. MAIN FEATURES OF WIPO TECHNICAL ASSISTANCE

(a) WIPO Technical Assistance Policies and Guidelines

The main characteristic of WIPO technical assistance, since inception in the 70's is that technical assistance policies have continuously evolved to adjust to the changing intellectual property challenges on the global market. In the early years and in accordance with the mandate of the Organization, the focus of technical assistance was on provision of legal support towards the establishment of appropriate intellectual property infrastructure and administration in the Member States. The main thrust of the assistance was to build an adequate intellectual property legal and administrative infrastructure in all developing countries.

²WIPO Article 3(i) of the Convention establishing the World Intellectual Property Organization.

³ See Articles 9 & 10 of the Agreement between the United Nations and the World Intellectual Property Organization, 1974

⁴ See "The 45 Adopted Recommendations Under the WIPO Development Agenda Cluster A: Technical Assistance and Capacity Building", 2007

The globalization of trade and the adoption of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) in 1994 with the establishment of the World Trade Organization (WTO) in 1995 and the digital revolution in the nineties brought fundamental transformations in the economic, social and cultural environment which resulted in a major shift in WIPO technical assistance. At the request of Member States, WIPO technical assistance changed its focus to take into account the challenges resulting from the membership in WTO, which implied the acceptance of specific norms contained in the TRIPS Agreement. WIPO technical assistance priority became to help developing and least developed countries understand their international obligations and make informed policy choices as regards TRIPS implementation. To this end, WIPO and WTO signed in 1995 a cooperation agreement that enabled the two organizations to provide coordinated legal and legislative support to their respective Member States with a view to raising awareness on TRIPS international obligations, and jointly conducting capacity building programs at the national, sub-regional, regional and inter-regional levels. Concurrently, WIPO engaged in the modernization of IP offices with a view to improving IP services to users.

In the late nineties, WIPO, as part of its drive to demystify IP, gradually broadened the scope of its technical assistance program to embrace new and emerging issues such as IP and electronic commerce, IP and small and medium sized enterprises, IP and biotechnology, the protection of traditional knowledge, genetic resources and traditional cultural expressions of folklore, IP and creative industries. In so doing, WIPO also aimed to enhance developing countries' capacity to harness the potentials of their IP systems. Consequently, technical assistance gained in visibility and the demand for assistance increased tremendously.

The adoption of the Millennium Development Goals (MDGs) by the United Nations General Assembly in 2000 marked another milestone in IP policies. The MDGs brought to focus the concept of sustainable development in the assistance provided by United Nations organizations and agencies to developing and least developed countries. This meant for IP the introduction of the concept of balancing the protection of IP and the benefits to society and social development. While continuing to provide the traditional legal and capacity-building assistance, emphasis moved to raising awareness on TRIPS flexibilities, developing the capacity of Member countries to create, own, manage and commercially exploit their IP assets, and on the formulation and implementation of national and institutional IP policies and strategies as frameworks for coherent, strategic and effective use of IP for development.

Since 2008, at the request of the Committee on Development and Intellectual Property (CDIP), WIPO engaged a process of mainstreaming development considerations into all its activities and debates. This last shift has resulted in the formulation and implementation of concrete and impactful projects and the development of various tools and services aimed at enhancing capacity to use and leverage IP for economic, socio-cultural and technological development.

(b) Delivery Strategy

The strategy for delivery of technical assistance seeks to:

- develop sustained countries' capacity in formulation and implementation of national IP policies and strategies that provide coherent framework for enhancing the use of IP for development;
- create a reservoir of specialized human capital among policy makers, IP administrators, law practitioners, technology managers, the judiciary, IP stakeholders and creators and copyright and related right users in creative industries. This is mainly addressed through the WIPO Academy;
- assist in building institutions that support IP assets creation and management in universities, research and development institutions, small and medium-sized enterprises and creative industries;
- establish modern IP business infrastructure to reinforce and improve the quality and efficiency of service delivery to the IP stakeholders and users, including knowledge transfer to local staff;
- create partnerships at national and regional levels to expand the programs reach. This is done through cooperation agreements and Memoranda of understanding with various partner institutions and organizations such as the African Regional Intellectual Property Organization (ARIPO), the African Intellectual Property Organization (OAPI), the ASEAN Working Group on Intellectual Property Cooperation, the BIMST Economic Cooperation, the Pacific Islands Forum Countries, the Andean Community of Nations, the Caribbean Community, the Common Market of the South, the Organization of Eastern Caribbean States, the Secretariat for Central American Integration, various universities, national and regional IP Academies; and
- foster the participation of developing Member countries, LDCs and countries in transition in international IP debates, and create platforms for dialogue and sharing of experiences to enhance intra and inter regional cooperation, including South-South cooperation.

In delivering technical assistance and upon request, WIPO:

- provides legal, policy, and technical expert advice at institutional, national and regional levels;
- conducts distance learning and face-to-face training programs, and provides fellowships for Masters in IP Law;
- organizes study visits for training of officials in various aspects of IP administration and governance of copyright management organizations, on-the-job training of IP officials in more advanced IP offices;
- organizes workshops, seminars, high-level conferences, symposia and colloquia on various IP issues of relevance to developing countries and LDCs;
- conducts studies and enables access to various technical and scientific databases to enhance the knowledge of IP and inform on policy choices; and
- develops infrastructure and provides technical support as part of infrastructure development projects which are often subject to signing of service level agreements between WIPO and beneficiary countries or organizations to ensure ownership and commitment of the country or organization concerned in the implementation process.

In so doing, WIPO addresses country needs and priorities, keeps regional balances and, through its focal points, maintains continuous dialogue with national IP Offices and regional IP organizations to ensure ownership of the activities. The same principles apply to Development Agenda projects and activities carried out under the Funds-in-trust.

(c) Beneficiaries

The beneficiaries of WIPO technical assistance are 87 developing countries, 49 least developed countries and 33 countries in transition in Europe and Asia, making a total of 169 countries.

Governments are the primary beneficiaries of WIPO technical assistance which is particularly directed to different governmental departments, policy and decision-makers, parliamentarians, the academia, IP rights holders, potential creators and innovators, research and development centers, agencies responsible for building respect of IP, small and medium and large sized enterprises and industries, consumers, and the civil society.

WIPO conducts programs aimed at improving the youth's knowledge and understanding of IP and its challenges on the global market.

Intergovernmental and non-governmental organizations which have signed cooperation agreements with WIPO also benefit from its technical assistance through exchange of information on issues of mutual interest, IP legal and policy advice, exposure to IP through study visits or training courses and participation in WIPO meetings and other activities.

(d) Sources of Funds

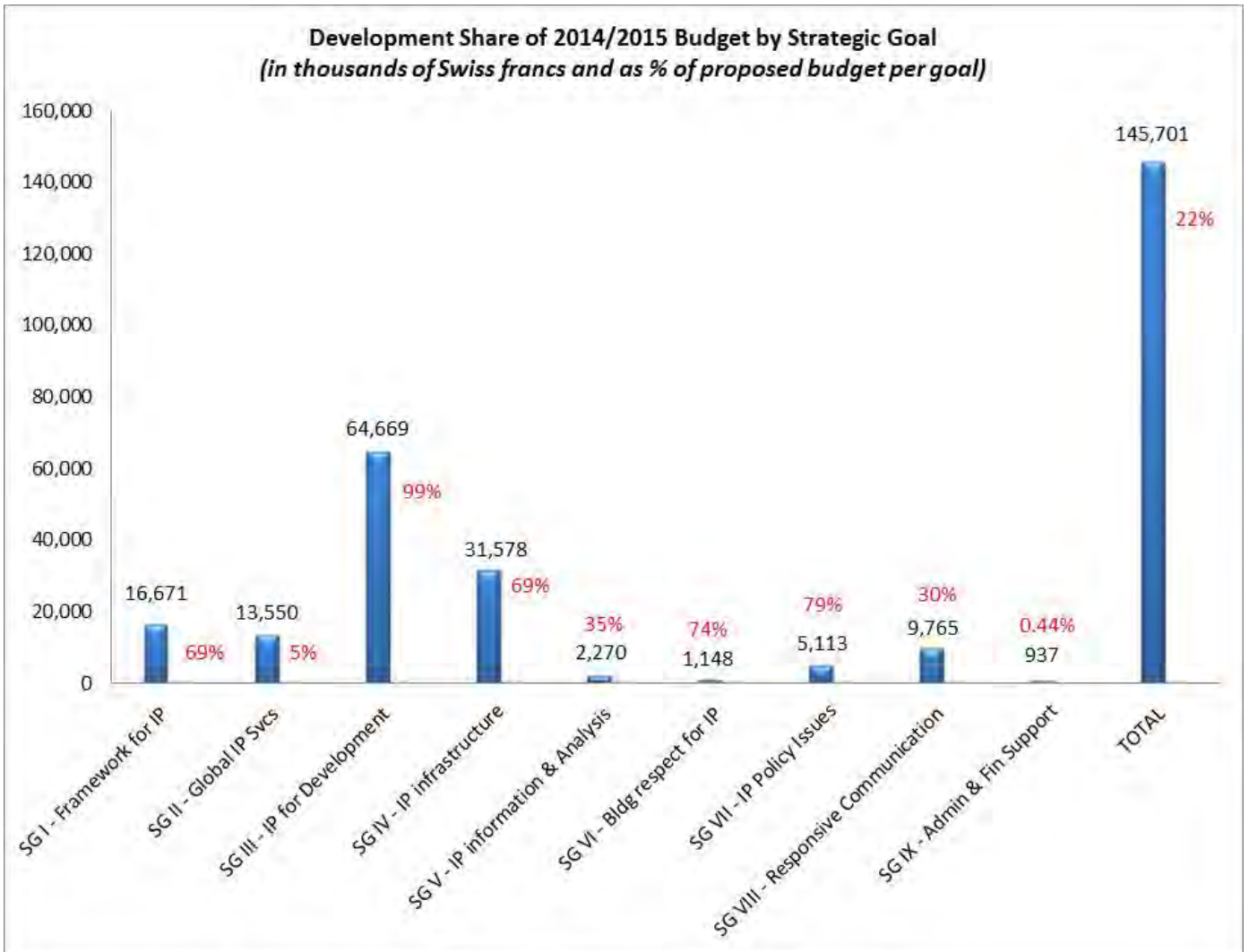
WIPO is a self-financed Organization. Ninety three percent of the total budget for 2012/13 was self-financed.

Technical assistance activities and services are funded from the regular budget and voluntary contributions channeled through Funds-in trust arrangements with bilateral donors and development agencies. A third source of funds is financial or in-kind voluntary contributions made by bilateral donors, inter-governmental and non-governmental organizations to cover specific activities.

According to the Annual financial report and financial statements for 2012, the total of contributions dedicated to technical assistance in the year 2012 amounted to 7.7 million Swiss francs, representing 2.3% of the total WIPO revenue.⁵

The table below shows the Development share of the 2014-2015 budget representing 22% of the total WIPO budget.

⁵ WIPO Document WO/PBC/21/4: Annual Financial Report and Financial Statements for 2012, p. 7



Source: **Approved WIPO Program and Budget for the 2014/15 Biennium**

(i) Regular budget

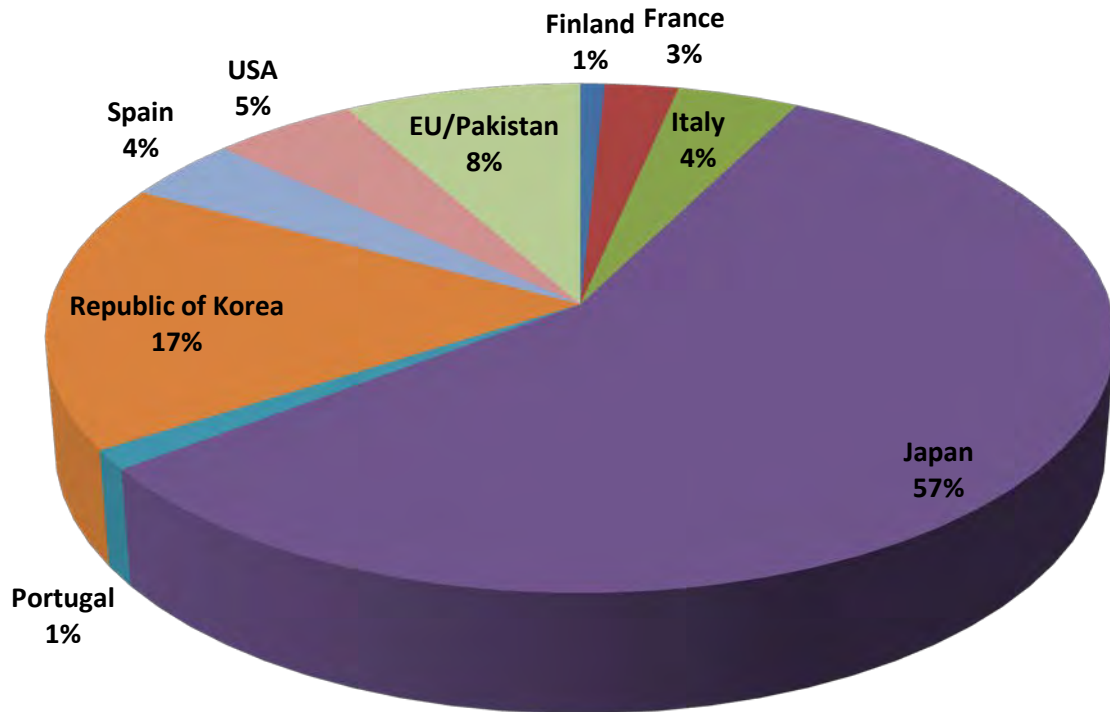
The regular budget constitutes the largest source of funds for WIPO technical assistance program. It covers a broad range of activities, including legal and legislative assistance, IP policies and strategies formulation, infrastructure development for modernization and efficient management of IP offices, institutional and human resources development with particular emphasis on enhancing innovation and creative capacity, and improving the use of IP by small and medium enterprises, research and development institutions, and creative industries to increase their competitiveness on the global market, as well as participation in various IP policy debates.

(ii) Funds-in-Trusts (FITs)

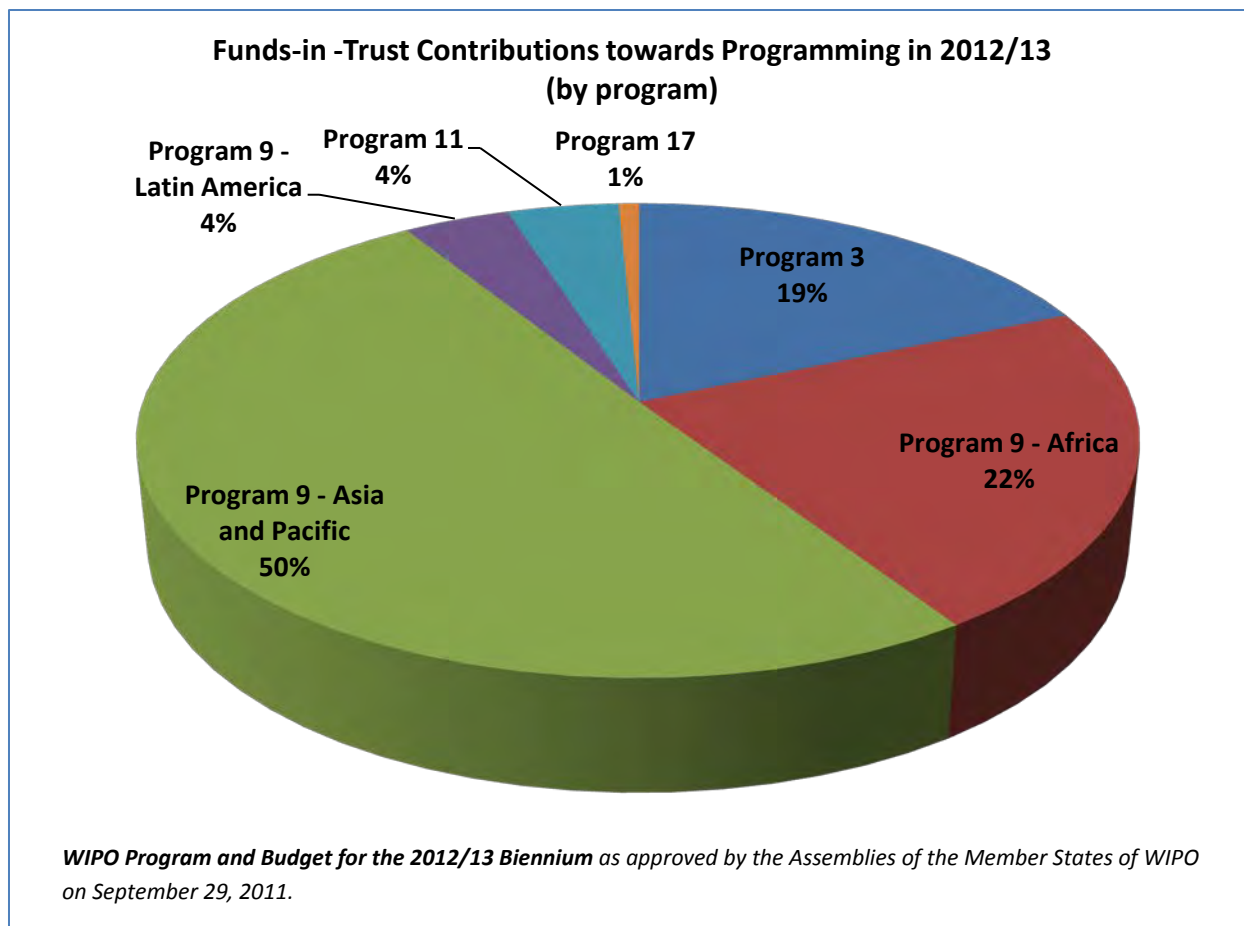
FITs constitute an important source of resources for technical assistance activities that complement those from the regular budget. In 2012-2013, WIPO managed trust funds from Brazil, Finland, France, Italy, Korea, Japan, Portugal, Spain, and the United States of America. They covered areas such as policy advice, South-South cooperation, modernization of IP infrastructure, developing partnerships and capacity-building in development and implementation of IP policies, innovation, technology transfer and management, use of IP tools for branding of local products and services, copyright, building respect for IP rights.

The FITs are administered by WIPO in accordance with the agreements signed between WIPO and the donors and in keeping with WIPO financial regulations and rules. The modus operandi differs from one donor to another. In general, preliminary consultations are held between WIPO and the donor to determine the objectives, the scope of FIT activities and the recipient countries. Once the agreement is signed and funds disbursed, WIPO undertakes, in close consultation with the donor and the beneficiary countries, the implementation of the projects and activities. Monitoring and evaluation of FIT activities is specified in the agreement.

**Funds- in-Trust Contributions towards Programming in 2012/13
(by donor)**



WIPOS Program and Budget for the 2012/13 Biennium as approved by the Assemblies of the Member States of WIPO on September 29, 2011.



(iii) *Other voluntary contributions*

Another source of technical assistance resources is the voluntary contributions made available by Member States from developed and developing countries towards specific projects and activities. Some examples are the contribution of South Africa to the Voluntary fund for Accredited Indigenous and Local Communities established in 2005 to facilitate the participation of indigenous people in the Intergovernmental Committee on Traditional knowledge, genetic resources and folklore; the Swedish International Cooperation Agency (SIDA) funding for LDCs capacity building activities, and the China's State Intellectual Property Office (SIPO) which finances various annual regional and inter-regional cooperation for development activities, as well as the contribution in kind arrangements that WIPO has with certain countries and institutions such as the Memorandum of understanding with Singapore and annual training program with the International Intellectual Property Training Institute (IIPTI) of Korea.

III. DELIVERY OF TECHNICAL ASSISTANCE, FEATURES AND PROCESSES

(a) Modes of Cooperation

Country plans are the main delivery mode. Projects and activities agreed upon under Funds-in-Trust are the other modes of cooperation with WIPO.

The country plan approach was introduced in the 2012-2013 biennium as a tool for more efficient planning and delivery of technical assistance to developing, LDCs and countries in transition. The Plan is based on country needs, interests

and priority development goals identified through consultations with the countries concerned and internal Organization wide consultations. It spells out technical support to be provided by WIPO as one to individual countries, over a period of two years, with the objective of using IP to contribute to achieving the countries' development goals. The implementation of the Plan is subject to an annual review and evaluation aligned with WIPO program performance reporting cycle.

Projects are generally designed to respond to specific needs expressed by Member States. As an example, a total of twenty seven projects worth US dollars 25.4 million Swiss Francs had been approved by Member States by 2012 under the WIPO Development Agenda as a response to recommendations from the CDIP and at the end of 2012 eleven projects were still under implementation.⁶ The projects address various policy, capacity-building, skills development and infrastructural issues and are implemented at country, regional or inter-regional levels.

Activities carried out under FITs and other voluntary contributions constitute another category. In this regard, the instrument of cooperation is an agreement or Memorandum of understanding or cooperation signed between WIPO and the partner State or Agency specifying the areas of interest and activities, expected results, the time-frame for implementation, recipient countries or region, resources and the schedule for monitoring and evaluation of its implementation. The activities under FITs and associated resources form part of the country plan.

(b) Processes for:

(i) *Developing Country Plans and National Intellectual Property Strategies*

The country plan is developed in close consultation with the Member State and all key players.

The process of developing a country plan involves:

- the identification of needs, priorities and objectives of the country;
- the identification of country's expected results or deliverables, activities set to achieve the results, and performance indicators; and
- the identification of resources within WIPO and/or other regional/international organizations, where applicable.

The process is participatory. Each step of the process requires continuous dialogue with the country concerned and horizontal consultations with other WIPO divisions, sectors and programs involved in the implementation of the Plan. The process is driven by WIPO Regional Bureaus or the Department for Transition and Developed Countries considered as the custodian of the country Plan.

A template designed to facilitate and harmonize the processes is reproduced as Annex II.

⁶ WIPO Director General's Report to the Eleventh Session of the CDIP on the implementation of the Development Agenda, May 2013, p. 14

The process of developing national intellectual property strategies has an equally participatory and all-inclusive approach.

The steps are as follows

- a needs assessment undertaken by local and international consultants and the establishment, by government authorities, of a Steering Committee to spearhead the formulation of the policy and strategy;
- organization of a stakeholders Forum for the validation of the report and conclusions of the needs assessment;
- based on the findings of the report, drafting of the policy and strategy by the drafting committee with the support of WIPO consultants, and submission of the draft text to WIPO for comments;
- review of the draft policy and strategy by WIPO and sending of comments to the drafting committee;
- finalization of the draft document and organization of a stakeholders' validation Forum;
- submission of the text to government for cabinet approval;
- once adopted, organization of a Forum to raise awareness on the new policy and strategy and agree on the implementation plan; and
- hold further consultations to discuss WIPO possible support and follow-up, and where necessary assist in the identification of potential partners.

(ii) Monitoring and Evaluation of Development Cooperation Activities

The monitoring and evaluation tasks are carried out through the internal oversight coordinated by the Internal Audit Oversight Division (IAOD) and the WIPO Independent Advisory Oversight Committee (IAOC) which assists Member States with oversight of WIPO operations. The main functions of the IAOD are to examine and evaluate, in an independent manner, WIPO's operations and processes; to bring a systematic approach to evaluate and improve effectiveness; and determine whether expected results have been achieved. The IAOC is composed by seven members representing the seven geographical regions of WIPO Member States.

On a global scale, WIPO engages independent experts for evaluation. Evaluation of extra budgetary activities is carried out at the request of, and in cooperation with concerned parties. In 2010, an Independent External Evaluation of WIPO Technical Assistance in the Area of Cooperation for Development was conducted at the request of the Member States.

The report is available on www.wipo.int/about-WIPO/en/oversight/.

Additionally, under the Strategic Realignment Program (SRP), WIPO has put in place a result-based framework that has improved strategic and operational planning of development activities and enhanced self-evaluation capacity. The framework is a valuable tool for providing Member States with better quality performance information on business and other services provided by WIPO. The evaluation is conducted at the end of each year to inform planning for the following year. Evaluation of extra budgetary activities is conducted at the request of, and in cooperation with concerned parties.

Feedback or views related to WIPO technical assistance should be addressed to:

The Deputy Director General
Cooperation for development Sector
WIPO
34, Chemin des Colombettes
CH-1211 Geneva 20
Switzerland

(iii) *Requesting Assistance*

All requests for assistance should be addressed to:

The Director General
World Intellectual Property Organization (WIPO)
34, Chemin des Colombettes
CH-1211 Geneva 20
Switzerland

Procedures for submitting requests for assistance vary depending on the type of activity as specified below:

- A country or institution interested in WIPO technical assistance should send a letter indicating the type of assistance required, the purpose, the link, if any, to the country's development goals, the expected outcome, the number and profile of beneficiaries and the most appropriate period for the activity.
- A country or institution interested in participating in a new or an on-going project should send a letter of interest indicating the project concerned, the rationale for the request, the link to the country's development goals, expected benefits or impact, the beneficiaries, possible local partners (if applicable), the country or institution's readiness for the support, the most appropriate time-frame.
- Individuals interested in the WIPO Academy courses should complete the application form and submit it to WIPO before the deadline. A catalogue of the annual program and the application form are available on the website of WIPO Academy: www.wipo.int/academy/en

It is important to note that countries (developing or least developed) should contact their respective Regional Bureaus (Africa, Arab countries, Asia and the Pacific countries, Latin America and the Caribbean countries) for preliminary and informal consultations, follow-up and/or any information related to WIPO's technical assistance. In this regard, WIPO Focal points are:

The Regional Director
Regional Bureau for Africa/Arab countries/Asia and the Pacific countries/Latin America and the Caribbean countries
World Intellectual Property Organization (WIPO)
34, Chemin des Colombettes
CH-1211 Geneva 20
Switzerland

Additionally:

WIPO Focal point for assistance related to special needs of the LDCs is:
The Director
Division for Least Developed Countries (LDCs)
WIPO
34, Chemin des Colombettes
CH-1211 Geneva 20
Switzerland

WIPO Focal point for countries in transition in Europe and Asia is:
The Director
Department for Transition and Developed Countries (DTDC)
World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
Ch-1211 Geneva 20
Switzerland

(c) Criteria for Approval of the Assistance and Time Frame for Delivery

Requests for assistance received by WIPO are examined by the relevant Regional Bureau or Sector/Division/Section using the following criteria:

- a formal request must be received by WIPO;
- the activity should be part of the country plan or national IP strategy, a WIPO project or initiative; and
- the activity should address the country's needs and be in line with its development goals. Technical assistance needs and expectations are identified through systematic needs assessment and/or consultations with the national authorities concerned prior to the formulation of the annual work plan and earmarking of the required budget.

Other criteria include:

- The readiness of the recipient country or institution to receive the support at a mutually agreed time. The extent of preparedness is ascertained through facts finding/needs assessment missions; and
- the availability of resources. Prioritization is done in the process of finalization of the annual work plan and earmarking of budget taking due account of the importance of the activities and the available budget.

All requests for assistance are subject to consultations with relevant Sectors/Divisions within WIPO and with partner institutions.

Applications for participation in the training courses of WIPO Academy should be submitted not later than the deadlines indicated on the website of WIPO Academy, www.wipo.int/academy/en. Requests related to other activities should be submitted at least 14 weeks before the expected date of regional and inter regional events, and 10 weeks for national events to allow sufficient time for consultations with key players and internal approval processes.

(d) Guidelines for Collaboration with Partners

The delivery of technical assistance program requires collaboration with many partners. Below are some key points for a more efficient planning and implementation of technical assistance activities:

(i) Timeframe for Program and Budget Planning

In the framework of the biennial programming cycle, the WIPO annual program and budget covers the period January to December. The Program and Budget planning is conducted between September and November in line with instructions from the WIPO Financial Controller. The planning steps include consultations with beneficiary countries and institutions as well as partner States and organizations mostly during the September/October Assemblies of Member States, within WIPO consultations between sectors, formulation of the program and budget and country plans, and its consideration and approval by the Director General.

It should be noted that formal consultations meetings with partner States and organizations are regularly organized at mutually agreed periods to review the state of cooperation and plan for the following year.

(ii) Rules and Procedures for Organizing Events in Collaboration with WIPO

Within the framework of its technical assistance program, WIPO organizes numerous national, sub-regional, regional and interregional events in cooperation with partner States and/or organizations. These events are generally conferences, colloquia, symposia, fora, meetings, training workshops, courses and seminars, study visits that should part of the approved program and budget or on-going projects. Any ad hoc event should fit in the country plan, country IP strategy or cooperation agreement with partner States or organizations.

Most technical assistance events are held outside WIPO headquarters in collaboration with the host country and/or one or more partner State or organization. In this case, organizing the event requires a formal letter of invitation or request for assistance from the host country or institution and intense consultations with all the parties. Once consultations are completed and the event approved by WIPO Director General, a formal letter confirming the event is sent by WIPO to the host. In parallel, invitation letters are sent to participants, resource persons and cooperating partners and travel and logistic arrangements are made accordingly.

It is worth noting that, subject to approval, WIPO finances costs related to the participation of foreign participants and resource persons and, where needed, contributes to the cost of logistic arrangements.

(iii) Rules for Engaging Speakers and Lecturers

Foreign and local speakers and lecturers are often called upon for participation in WIPO events and sharing their knowledge and expertise in their area of specialization. For cost efficiency, the current rule is to engage one foreign speaker for national events and not more than two foreign speakers for regional and inter-regional events.

Speakers and lecturers are engaged under WIPO Special Service Agreement based on specific terms of reference and the program of the event agreed upon with the co-organizers of the event. The speakers and lecturers are identified by the Division/Bureau concerned from the WIPO Roster of Consultants or other relevant WIPO and partners' databases, in consultation with the technical assistance recipient country/institution and the co-organizers of the event. Upon written confirmation of acceptance of the invitation and related terms of reference, a formal agreement is signed between WIPO and the speaker/lecturer.

(iv) Travel Procedures

Countries or individuals travelling on a WIPO-financed mission should receive an invitation letter with detailed instructions related to travel arrangements.

In this regard, the countries invited to participate in a WIPO event should generally receive a Nomination Form to be filled by the nominated participant, signed by the designating authority and returned to WIPO within a given timeframe.

Speakers and lecturers are only required to confirm in writing their acceptance of the invitation and their consent to publish their profile and the text of their presentation on WIPO Website.

Travel arrangements are thereafter made directly by WIPO or, where applicable, through local United Nations Development Program (UNDP) Offices. In either case, the procedure should include: flight bookings; seeking the United Nations security clearance for anyone travelling to places where security restrictions apply; and arranging with the host country facilitation of issuance of entry visa.

It is therefore important for each WIPO-sponsored participant, speaker and lecturer to carefully follow the instructions contained in the letter of invitation in order for travel arrangements to be made smoothly in the most efficient and timely manner.

(e) Process for Engaging other Providers in Delivery of Development Cooperation Activities

The implementation of technical assistance projects and activities related to infrastructure development and institutions building often require the engagement of other service providers. The service provider may be a private sector company or a partner organization. The engagement of such provider is subject to formal contracts and/or agreements that institutionalize the relationship in line with WIPO financial regulations and rules.

The first step in the process of engaging service providers in delivery of development cooperation activities consists in designing terms of reference in consultation with concerned partners and seeking their approval and that of the costs estimation. Depending on the type of services, the identification and selection of the service provider is thereafter conducted in accordance with WIPO procurement rules and procedures. Lastly, the contract or agreement is signed by WIPO and the selected service provider for service delivery.

(f) Development related Databases

Within the framework of the Development Agenda, the following searchable databases have been established to facilitate the delivery of technical assistance to Member States and inform the public, thus increasing transparency in delivery of technical assistance:

(i) Intellectual Property Technical Assistance Database (IP-TAD):

TAD contains information on technical assistance activities undertaken in developing countries, LDCs and countries in transition. The information is drawn from reports received by WIPO. Details can be found on: www.wipo.int/tad/en

(ii) Roster of Consultants (ROC):

ROC is a searchable database established in 2009 at the request of the CDIP. It contains useful information on consultants and experts engaged by WIPO to carry out specific IP technical assistance activities at the national and regional levels. The database seeks to bring more transparency in expertise used in technical activities in developing countries, LDCs and countries in transition. More details are available on: www.wipo.int/roc/en

(iii) Matchmaking Database:

An on-line tool for matching specific IP-related development needs, through which:

- Developing countries, LDCs and countries in transition formulate their needs
- Potential donors offer resources
- WIPO assesses ideas and matches them with appropriate partners.

Details are available on: www.wipo.int/dmd/en

III. DEVELOPMENT COOPERATION PROGRAM AND ACTIVITIES

Part 1: Main areas of activities and related tools

WIPO technical assistance covers a broad range of areas of activities whose main pillars are: the development of IP policies and strategies, the establishment of IP regulatory and policy framework, the development of IP infrastructure and a specialized human resource, enhancing IP Office service to users and promoting innovation and creativity. This part provides insight into these main areas and related tools and activities.

(a) Designing and implementation of national, institutional and sectoral IP strategies:

WIPO is engaged in a vast program of assisting its Member States and institutions in developing intellectual property policies and strategies which support cultural, educational and research institutions and industry. The national and institutional IP policies and strategies seek to build national capacity to create, own IP assets and use them for economic gains and social benefit.

| Title | Description | Contact points/Links |
|--|--|---|
| <p>Designing and implementation of national, institutional and sectoral IP strategies</p> | <p>The assistance consists of providing, upon request from Government and in line with WIPO Development Agenda, technical support through national and international consultants. This involves conducting a needs assessment using WIPO methodology, building local capacities to steer the formulation and subsequent implementation of the policies and strategies, organizing stakeholders' consultations and meetings and the validation of the policy and strategy.</p> <p>In so doing, WIPO ensures that the policies and strategies address concrete needs and challenges faced by the research and business communities and are in line with the country's development goals.</p> | <p>Service providers:</p> <ul style="list-style-type: none"> - Regional Bureaus - LDCs Division - Innovation Division - The Department for Technical Assistance and Special Projects <p>Focal points within WIPO: Directors</p> <p>Web site link:</p> <p>www.wipo.int/eds/en</p> <p>www.wipo.int/jpstrategies/en</p> |

(b) Enhancing access to knowledge and exchange of technologies:

Most developing countries continue to face inadequate research infrastructure, low levels of investment in and knowledge of IP, lack of legal, financial and professional support for utilization of the IP system nationally and internationally, as well as serious brain drain and resource constraints. This program targets research, academic and business institutions with high potential for generating intellectual property assets, and offers access to the following WIPO-managed IP data bases and platforms with a view to enhancing access to scientific and technical information, including protected patents and state-of-the art technologies.

| Title | Description | Contact points/Links |
|--|--|---|
| <p>Infrastructure creation: Technology and Innovation Support Centers (TISCs)</p> | <p>TISC project is aimed at establishing and building capacity of the centers to address the needs of local research and business communities. The support consists basically in developing a network of technology managers and users through training, expert advice and assistance in accessing online patent and non-patent resources, and retrieving useful information on technologies and competitors. A TISC online directory provides detailed information on established Centers and the services offered.</p> | <p>Service providers: Access to Information and Knowledge Division in close collaboration with Regional Bureaus, the DTDC and the Division for LDCs Focal point within WIPO: Directors Regional Bureaus and DTDC Director Web site link: www.wipo.int/tisc/</p> |
| <p>Online Databases: Patentscope</p> | <p>Patentscope is a free search service offered by WIPO which enables to search over 3 million patent documents, including 2.2 million published international PCT applications.</p> | <p>Service provider: Access to Information and Knowledge Division Focal point within WIPO: Senior Director Web site link: http://patentscope.wipo.int/search/en/search.jsf</p> |

| Title | Description | Contact points/Links |
|---|--|---|
| IP Advantage Database | IP Advantage database provides a one-stop gateway to case studies that chronicle the IP experiences of inventors, creators, entrepreneurs and researchers from across the globe. The case studies offer insight into how IP works in the real world and how its successful exploitation can contribute to development. | Service providers: Communications Division supported by the WIPO Japan Office Focal point within WIPO: Customer Service Center Web site link: www.wipo.int/ipadvantage/en |
| Access to Research for Development and Innovation (ARDI) | ARDI program, in partnership with prominent science and technology publishers, provides free access for LDCs and at a minimal fee for developing countries, to over 17, 000 peer-reviewed scientific and technical journals, books and databases. | Service providers: Access to Information and Knowledge Division and Communications Division Focal point within WIPO: Customer Service Center Web site link: www.wipo.int/ardi/en |
| Access to Specialized Patent Information (ASPI) | Access to Specialized Patent Information (ASPI), in cooperation with major commercial patent database vendors, provides access to commercial patent databases with sophisticated tools for retrieving and analyzing patent data. | Service providers : Access to Information and Knowledge Division and Communications Division Focal point within WIPO: Customer Service Center Web site link: www.wipo.int/aspi/en |

| Title | Description | Contact points/Links |
|---|---|--|
| Platforms WIPO Re:Search | WIPO Re:Search is a platform that provides access for pharmaceutical compounds, technologies and know-how, to data available for research in the area of neglected diseases. It also seeks to facilitate new partnerships to support organizations that conduct research on treatments. | Service provider: Global Challenges Division Focal point within WIPO: Director Web site link: www.wipo.int/research/en |
| WIPO Green | WIPO Green is a tool that enables and facilitates matching of climate technology needs with owners of green technologies. Additional services include links to training, consulting, dispute resolution and advice on financial support. | Service provider: Global Challenges Division Focal point within WIPO: Director Web site link: www3.wipo.int/wipogreen/en |
| WIPO Patent Information Services (WPIS) for Developing Countries | The WPIS program offers state-of-the-art search reports for particular well-defined technologies. | Web site link: http://www.wipo.int/patentscope/en/data/developing_countries.html |

| Title | Description | Contact points/Links |
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| <p>Patent Landscape Reports</p> | <p>Patent Landscape Reports are valuable tools for inventors, innovators and the business community. The reports provide a comprehensive analysis of innovation and patenting activity in a specific technological field, including information on technology trends, major players, geographical distribution of patent rights and collaboration trends. Areas covered include public health, food security and agriculture, climate change, etc.</p> | <p>Service provider: IP Office Business Solutions Division</p> <p>Focal point within WIPO: Director</p> <p>Web site link: www.wipo.int/patentscope/en/programs/patent_landscapes</p> |

(c) Enhancing technical and knowledge infrastructure:

| Title | Description | Contact points/Links |
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| <p>IPAS – the Industrial Property Administration System</p> | <p>IPAS is a software offered free of charge to developing countries, least developed countries and countries in transition in the framework of modernization of IP offices. The package for automating operations related to processing of industrial property rights, i.e. patents, trademarks and industrial designs includes an automation needs assessment, provision of hardware and software products, knowledge transfer to local staff through a series of training and follow-up technical support.</p> | <p>Service provider: IP Office Solutions Division Focal point within WIPO: Director Web site link: www.wipo.int/global_ip/en/activities/technicalassistance/</p> |
| <p>Work-sharing platforms: WIPO CASE system</p> | <p>WIPO CASE is a platform designed to facilitate sharing of information on search and examination reports among participating IP offices. Initially deployed for the patent offices of Australia, Canada and the United Kingdom, since March 2013, any patent office may join the system by notifying the International Bureau and making the choice of becoming a depositing or only accessing office.</p> | <p>Service provider: IP Office Business Solutions Division Focal point within WIPO: Director Web site link: www.wipo.int/case/en/</p> |
| <p>Digital Access Service (DAS)</p> | <p>Digital Access Service (DAS) is an online system that allows priority documents to securely be exchanged between IP offices.</p> | <p>Service provider: IP Office Business Solutions Division Focal point within WIPO: Director Web site link: https://webaccess.wipo.int/priority_documents/en</p> |

(d) Providing legislative assistance and policy advice:

Upon request from developing Member States, LDCs and countries in transition, WIPO provides policy and legal and legislative advice on existing or draft industrial property and copyright legislation. The assistance entails: Provision of comments on the draft legislation; review of draft texts with national drafters for a better understanding of the scope of the legislation and the policy options; provision of expert advice and conducting studies on the flexibilities contained in the TRIPS Agreement; and raising awareness of the legislators, policy makers, law practitioners, the judiciary, the enforcement agents and the public at large through seminars or workshops to popularize the new legislation and facilitate its implementation.

| Title | Description | Contact points/Links |
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| Industrial property | <p>The legal and technical support includes:</p> <ul style="list-style-type: none"> – Provision of support to adjust national and regional industrial property legislation to constantly changing international IP environment – Organizing visits of officials to WIPO headquarters to meet with WIPO experts for a thorough review and discussion of the legal texts to ensure a good understanding of issues at stake and policy options available for developing, least developed countries and countries in transition – Organizing national, regional and inter-regional fora on issues such as TRIPS flexibilities, competition law policy to enhance the capacity for implementation and understanding of the rights and obligations and use of flexibilities contained in the TRIPS Agreement – Facilitating the participation, on a rotation basis, in norm-setting debates of the Standing Committees related to patent law and the law of trademarks, industrial designs and geographical indications. | <p>Service providers:</p> <ul style="list-style-type: none"> – Legal and Legislative Policy Division – Regional Bureaus <p>Focal points within WIPO: Directors, Regional bureaus</p> <p>Web site link: www.wipo.int/ip-development/en/legislative_assistance</p> |

| Title | Description | Contact points/Links |
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| Copyright | <p>The legal and technical support is equally provided, upon request from Member States and regional IP organizations. It consists in:</p> <ul style="list-style-type: none"> – Provision of advice and support in drafting and/or updating copyright legislation and domestication of new copyright Treaties. This includes: – Provision of comments on draft texts – Conducting expert’s advisory missions – Organizing visits of officials to meet with WIPO experts – Organization or participation in awareness raising events on new treaties and new national legislation – Facilitating the participation, on a rotation basis, in norm-setting debates of the Standing Committees related to copyright and related rights. | <p>Service providers: Copyright Law Division/Copyright Development Division</p> <p>Focal point within WIPO: Directors of above Divisions</p> <p>Web site link: www.wipo.int/copyright/en</p> |

(e) Providing support and advice for the protection of Traditional Knowledge (TK) Traditional Cultural Expressions (TCEs) and Genetic Resources (GRs):

The assistance in the field involves providing, upon request, legislative and policy advice, offering capacity-building activities in IP law and in strategic management of IP rights and interests in TCEs, providing assistance in the field of documentation of TK and GRs, providing guidance on IP issues related to GRs, especially on the proposed disclosure requirement and on access and benefit-sharing contracts, and providing information, explanations and clarifications on issues and options in order to keep stakeholders informed.

| Title | Description | Contact points/Links |
|---|---|---|
| Developing national policy and strategy for IP protection of TK and TCEs | Providing support in developing national policy and strategy for the IP protection of TK and TCEs. The strategy also outlines IP issues related to GRs. | Service provider: Traditional Knowledge Division Focal point within WIPO: Director Website link: www.wipo.int/tk/en/ |
| A database of laws and legislative measures on TK, TCEs and GRs | The database provides a selection of national and regional laws, regulations and model laws on the protection of TK, TCEs against misappropriation and misuse as well as legislative texts relevant to GRs. | Web site link: www.wipo.int/tk/en/legal_texts |
| Indigenous Intellectual Property Law Fellowship Program | The fellowship program is aimed at strengthening the capacity of indigenous lawyers and policy advisors in IP law. It is offered to indigenous people with legal expertise to respond to the need for stronger capacity in indigenous IP law. | Web site link: www.wipo.int/tk/en/indigenous/fellowship |

| Title | Description | Contact points/Links |
|--|--|---|
| <p>Creative Heritage Project: Cultural documentation and IP management training program</p> | <p>The training program provides:</p> <ul style="list-style-type: none"> – Technical support in documenting cultural heritage and guidance on the management of the IP interests related thereto. – A compendium for museums, libraries, archives and other cultural institutions on management of IP rights. – IP Management and arts festivals: A Guidebook that provides guidance on how to use IP tools such as copyright and related rights, certification and collective marks in arts festivals. | <p>Web site links: www.wipo.int/tk/en/training/cult_doc_ip_man.html www.wipo.int/tk/en/culturalheritage/museums-archives.html Web site link: www.wipo.int/tk/en/culturalheritage/ip-arts-festivals.html and www.wipo.int/tk/en/briefs.html</p> |
| <p>Background brief on IP management and traditional handicrafts</p> | <p>The brief identifies practical, accessible and often community-based solutions for harnessing the opportunities offered by the IP system to handicrafts in order to ensure more effective recognition, protection, and commercialization of handicrafts as valuable cultural and economic assets.</p> | <p>Web site link: www.wipo.int/tk/en/briefs.html</p> |
| <p>A portal on IP issues related to TK and GRs databases and registries</p> | <p>The portal seeks to facilitate the study of IP issues related to TK and GRs databases and registries.</p> | <p>Web site link: www.wipo.int/tk/en/databases/tkportal</p> |

| Title | Description | Contact points/Links |
|---|---|---|
| Database of biodiversity-related access and benefit-sharing agreements | This is an online database that contains information on relevant contractual practices and provides guidance on the IP aspects of mutually agreed terms for fair and equitable benefit-sharing. | Web site link: www.wipo.int/tk/en/databases/contracts/ |
| IP guidelines for access and equitable benefit-sharing | The guidelines address IP aspects concerning access to genetic resources and equitable benefit-sharing arrangements that govern the use of GRs. | Web site link: www.wipo.int/meetings/en/doc_details.jsp?doc_id=146457 |
| WIPO Technical Study on Patent Disclosure Requirements relevant to GRs and TKs | The study concerns requirements in patent law systems to disclose information about GRs and TK relevant to patented inventions. | Web site link: www.wipo.int/export/sites/www/freepublications/en/tk/786/wipo_pub_786.pdf |
| Other resources | Various publications, briefs and materials on TK, TCEs and GRs. Regular e-updates to those subscribed to the TK mailing list, and A regularly updated Snapshot on the TK web site to provide short, up-to-date information on the status of the IGC's negotiations. | Web site link: www.wipo.int/tk/en/resources/ |

(f) Use of IP tools for branding and adding value to local products:

WIPO support in the field is aimed at developing Member States' capacity to use IP tools such as collective marks, certification marks, to add value to local products and increase their competitiveness on the global market. Development Agenda pilot projects carried out in Thailand, Panama and Uganda have helped to develop a WIPO methodology and shown the need for creating partnerships that would take the projects beyond WIPO's mandate. The projects are aimed at identifying local products with high potential for value addition and increased competitiveness on the through the use of IP using a WIPO methodology.

| Title | Description | Contact points/Links |
|--|---|--|
| <p>IP and Branding projects</p> | <p>The major steps consists of identification and selection of two to three products with high export potential; studying the products to determine their unique characteristics, their strengths and weaknesses, the stakeholders and the potential market. Based on findings, development and implementation of a branding strategy for each product. Pilot projects undertaken so far include: Thailand (Mae Jaem Teen Jok fabric, Lamphum brocade silk, Bang Chao Cha wicker), Panama (pineapple, coffee, mola kuwa), Uganda (vanilla, sesame and cotton), Zanzibar (cloves).</p> | <p>Service providers: Department for Africa and other Special Projects – Regional Bureaus – LDCs Division</p> <p>Focal points within WIPO: the Senior Director/Directors</p> <p>Web site link: www.wipo.int</p> |

(g) Capacity Building for industrial property and copyright administration and management:

| Title | Description | Contact points/Links |
|---|---|--|
| <p>Industrial property administration and management</p> | <p>The assistance provided to Member States upon request consists essentially of:</p> <ul style="list-style-type: none"> - Conducting an analysis of the IP legislation and assessing related needs, priorities and the volume of IP work - Based on findings, developing and implementing a business plan for modernizing the IP Office business operations and services - Streamlining industrial property operations - Developing skills of national and regional IP Offices staff through workshops, seminars, and study tours for senior staff and examiners to enhance their knowledge of patents, trademarks, industrial designs, geographical indications as well as the PCT, the Madrid, The Hague and Lisbon systems and procedures - Modernization of the administration of IP business products and services for national IP Offices and regional IP organizations, including knowledge transfer to the IP offices and organizations - developing and providing tools for promoting data exchange among national and regional IP offices. | <p>Service providers:</p> <ul style="list-style-type: none"> - Regional Bureaus - PCT International Cooperation Division - Functional Support Division, Brands and Designs Sector - IP Office Business Solutions Division <p>Focal points within WIPO: Directors of Regional Bureaus and DTDC Director</p> |

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| <p>Copyright administration and management</p> | <p>The assistance provided upon request from Member States include:</p> <ul style="list-style-type: none"> - Undertaking needs assessment and designing a business action plan that takes into account the country's identified needs and priorities - Based on the conclusions of the needs assessment, providing support in the establishment of Collective Management Organizations (CMOs) and in drafting rules and procedures - Provision of expert advice and building capacities to efficiently manage the CMOs on behalf of creators - Provision of tools, including the software (WIPOCOS) to improve the services to users - Organizing training workshops in various aspects of copyright management and training of the executives on good governance of CMOs - Implementing the Development Agenda project seeking to enhance the performance and networking of CMOs in West Africa and creating more efficient CMOs - Undertaking studies for measuring the size of copyright-based industries and copyright impact on the economies using WIPO methodology - Provision of tools such as Trusted Intermediary Global Accessible Resources (TIGAR) which provide access to copyright protected literary works to people with print disabilities | <p>Service providers:</p> <ul style="list-style-type: none"> - Copyright Development Division - IP Office Business Solutions Division <p>Focal points within WIPO: Directors of Regional Bureaus and DTDC Director</p> <p>Web site link: www.wipo.int/copyright/en</p> |
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| Title | Description | Contact points/Links |
|--|---|--|
| <p>IP assets creation, use and management by small and medium-sized enterprises (SMEs), universities and research and development institutions (RDIs)</p> | <p>The program involves:</p> <ul style="list-style-type: none"> – Building the capacity to develop IP strategies for SMEs and to use IP tools for the benefit of SMEs – Collection of success stories and best practices in the use of the IP system by SMEs in order to raise awareness on the relevance of the IP system for SMEs – Customization of publications on the use of IP by SMEs – Provision of web-based information on IP issues for SMEs and dissemination of a monthly electronic newsletter on IP for SMEs – Enhancing innovation and creative capacities through training workshops and seminars on various IP topics including IP policies development, technology transfer procedures for universities and RDIs, IP and the role of universities and RDIs, successful technology licensing, patent drafting, franchising, IP negotiation skills and IP valuation – Development of IP policies and strategies for universities and RDIs – Expert advice and support towards establishing IP offices within universities and RDIs – Regional and Inter-regional Colloquium for exchange of knowledge and experiences to promote networking and forging of new partnerships – The University Initiative to assist Member States in establishing IP infrastructure, developing human capital and promoting effective use of IP through a mentoring system with the support of partner institutions from developed countries. | <p>Service providers: Regional Bureaus/SMEs Section/Innovation Division/LDCs Division and DTCD</p> <p>Focal points: Directors of Regional Bureaus and DTCD Director</p> <p>Web site links: www.wipo.int/sme/en www.wipo.int/innovation/en www.wipo.int/eds/en www.wipo.int/uipc/en</p> |

| Title | Description | Contact points/Links |
|--|---|--|
| Building respect for IP rights: | Developing capacities in building respect for IP is carried out through: <ul style="list-style-type: none"> – National and regional workshops and seminars on various aspects, including raising awareness on the social and economic impact of infringing IP rights – Colloquium for judges for sharing knowledge and experience – Publication of casebooks on the jurisprudence – Encouraging the participation in policy debates of the WIPO Advisory Committee on Enforcement of IP Rights and other regional and international fora. | Service providers: <ul style="list-style-type: none"> – Building Respect for IP Division – Regional Bureaus – Department for Countries in Transition and Developed Countries Focal points within WIPO: Directors of Regional Bureaus and DTCD Director Website links: <ul style="list-style-type: none"> www.wipo.int/enforcement/en www.wipo.int/eds/en |

(h) IP teaching at the national and regional levels:

National and Regional IP Academies, Master of Laws in IP, Start-up Academies, Colloquium for teachers of IP, DL, Summer school, Training of trainers:

In the framework of the program of the WIPO Academy, WIPO offers basic and advanced IP teaching in various aspects of IP in collaboration with universities and delivers degrees, diplomas and certificates.

The core programs are reproduced below.

For registration and access to courses catalogue, please visit http://wipo.int/academy/en/courses/rp_catalog/index.jsp

| Title | Description | Contact points/Link |
|---|---|---|
| The Professional Development Program | The program provides general and specialized IP training on industrial property and copyright for government professionals. | Web site link: www.wipo.int/academy/en |

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| | <p>Under the same program, WIPO offers:</p> <ul style="list-style-type: none">– WIPO-WTO advanced course on IP for government officials– Courses in industrial property for senior officials from research and development institutions and technology transfer centers– Courses on Collective management organizations (CMOs). | |
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| Title | Description | Contact points/Links |
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| Academic Institutions Program | <p>Under this program, WIPO provides IP advanced education to graduates, young university professionals, researchers and government officials, in collaboration with academic institutions, as follows:</p> <ul style="list-style-type: none"> – Six Master of Law Degree programs in IP are offered in the following locations: – Africa University, Mutare, Zimbabwe (regional program) – University of Yaoundé II, Yaoundé, Cameroun (regional program) – Buenos Aires, Argentina (regional program) – Brisbane, Australia (regional program) – Seoul, Republic of Korea (international program) – University of Turin, Turin, Italy (an international program). <p>Other advanced courses offered under the same program are:</p> <ul style="list-style-type: none"> – the Intensive Summer Course on Intellectual Property and Business Entrepreneurship, University of Haifa, Israel; – WIPO-WTO Colloquium for IP teachers, the High level course for business entrepreneurs in Haifa, Israel. | <p>Website link: www.wipo.int/academy/en/courses/academic_institutions</p> |

| Title | Description | Contact points/Links |
|--|---|--|
| <p>The Distance Learning (DL) Program</p> | <p>Under the DL program, WIPO collaborates with academics from universities all over the world and provides training in all aspects of IP including copyright; patents; patent information search; basic patent drafting; IP and electronic-commerce; IP and biotechnology; trademarks; industrial designs and geographical indications; arbitration and mediation procedures under the WIPO rules; and management of IP in the book publishing industry. Since 2012, DL courses have included a special pedagogical element designed to provide teaching on the WIPO Development Agenda and in particular on IP flexibilities and the public domain with a view to creating awareness and addressing how IP flexibilities and the public domain can be used in key areas of development. Three additional courses coming up in 2014 are: Economics of IP and Innovation, IP and Public Health, IP and Traditional Knowledge.</p> | <p>Website link: www.wipo.int/academy/en/courses/distance_learning</p> |
| <p>The Summer School Program on IP</p> | <p>The objective of the program is to enhance the knowledge of IP and the role and functions of WIPO for senior students and young professionals in all regions.</p> | <p>Website link: www.wipo.int/academy/en/courses/summer_school</p> |

| Title | Description | Contact points/Links |
|------------------------------|--|--|
| The Executive Program | The program provides short and intensive courses for business managers and senior executives in the private sector, particularly those involved in the development and management of new products and processes. | Website link: www.wipo.int/academy/en/courses/executive |
| Start-up Academies | The project consists in the establishment of IP academies in IP training institutions and universities to meet the increasing demand for IP specialists and professionals. The assistance comprises: the identification and training of the IP coordinator, establishment of a reference IP library, participating in two pilot courses, training of a core group of five trainers. To-date, the project covered: Colombia, Dominican Republic, Egypt, Ethiopia, Peru and Tunisia. | Website link: http://www.wipo.int/academy/en/about/startup_academies |

(i) Enhancing the inclusion of IP in national innovation systems:

| Title | Description | Contact point/Link |
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| Enhancing the inclusion of IP in national innovation systems | Assistance involves: – High-level Symposium for policy makers and senior officials to promote the inclusion of IP in national innovation systems. – High-level Workshops for technology managers and senior researchers. – Assistance and advice in the formulation of IP policies that take into account existing national innovation systems. | Service providers: Innovation Division/Regional Bureaus Within the focal points: Directors of Regional Bureaus and DTCD Director Website link: www.wipo.int/eds/en |

(j) Strengthening inter-regional, regional and sub-regional cooperation:

| Title | Description | Contact points/Link |
|--|---|--|
| <p>Strengthening interregional, regional and sub-regional cooperation</p> | <p>Assistance involves:</p> <ul style="list-style-type: none"> – High-level fora for policy makers and senior IP officials to encourage dialogue on policy issues of interest to the regions. – High level consultations to promote South-South cooperation. – High-level inter regional seminars for senior government officials, IP offices officials and senior researchers on various aspects of IP and innovation geared to promote sharing of knowledge and experiences among countries and regions. Australia, Brazil, China, India, Israel, Mexico, Japan, the Republic of Korea and Singapore sponsor annual events to promote regional and inter regional cooperation. – Assistance in formulation of IP policies that take into account existing national innovation system – Study visits to learn from good practice in other countries | <p>Service providers: External Relations Department/Regional Bureaus</p> <p>Within the focal points: The Directors of Regional Bureaus and DTCD Director</p> <p>Website link: www.wipo.int/eds/en</p> |

(k) Partnerships with the United Nations Agencies, Intergovernmental organizations (IGOs) and Non-governmental organizations:

One of the major challenges faced by WIPO technical assistance is the constantly increasing demand for assistance and rising Member States' expectations. Partnerships with United Nations Agencies and Organizations, intergovernmental and non-governmental organizations help broaden the scope and outreach of its support to developing countries, least developed countries and countries in transition.

WIPO has signed Memoranda of understanding (MOUs) and cooperation agreements with United Nations Agencies and other organizations to institutionalize their cooperation around IP issues related to their respective mandate. These UN and other international organizations include the United Nations Food and Agriculture Organization (FAO), the International Telecommunications Union (ITU), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Environment Program (UNEP), the World Health Organization, the United Nations Industrial Development Organization (UNIDO), the five United Nations Regional Commissions, namely the Economic Commission for Africa (ECA), the Economic Commission for Europe (ECE), the Economic Commission for Latin America and the Caribbean (ECLAC), the Economic Commission for Asia and the Pacific (ESCAP), the Economic and Social Commission for Western Asia (ESCWA), the International Trade Centre (ITC), the United Nations Conference on Trade and Development (UNCTAD), the World Trade Organization (WTO).

WIPO has also developed working relationships with many IGOs and NGOs engaged in the field of IP at the national, regional and international levels with a view to creating synergies and having a greater impact in the Member States. These partnerships involve regular consultations and establishment of cooperation arrangements. In this regard, activities undertaken are summarized below:

| Title | Description | Contact points/Link |
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| Partnerships with United Nations Organizations | <p>Activities include:</p> <ul style="list-style-type: none"> – Jointly initiating and implementing projects and activities with due consideration of needs and interests expressed by Member States (examples: WIPO and WHO cooperation on Re-Search project related to creating partnerships for research work on tropical neglected diseases, WIPO-UNESCO on IP and TK and Traditional Cultural Expressions of Folklore, WIPO-WTO cooperation in providing TRIPS related legislative and technical support.) – Involving partner organizations in projects that go beyond WIPO’s mandate, such as ITC in branding of local products. – Substantive participation in training workshops and seminars to share knowledge and experience (UNEP, UN regional commissions). – Participation in high profile UN Agency events to bring the IP perspective into policy debates. | <p>Service providers: Regional Bureaus and relevant Divisions</p> <p>Focal points within WIPO: Directors of relevant Divisions</p> <p>Website links:</p> <p>www.wipo.int/eds/en/</p> <p>www.3.wipo.int/wipogreen/en/about</p> <p>www.wipo.int/research/en/</p> <p>www.wipo.int/copyright/en/</p> |

| Title | Description | Contact points/Links |
|--|--|----------------------|
| <p>Partnerships with regional IP organizations</p> | <p>WIPO has a long-standing tradition of working closely with regional IP organizations, such as ARIPO, the European Patent Office (EPO), OAPI, the Office for Harmonization in the Internal Market (OHIM), in delivering technical assistance to its Member States. This involves joint projects and activities related to human resources and infrastructure development and building respect for IP.</p> | |
| <p>Partnerships with other intergovernmental and non-governmental organizations</p> | <p>WIPO works closely with several IGOs and NGOs engaged in IP activities, industrial property and copyright and related rights alike, at the national, regional and international levels. These include: the African Union, the Common Market for Eastern and Southern African countries (COMESA), the East African Community (EAC), the Economic Community for West African States (ECOWAS), the Southern Africa Development Community (SADC), the League of Arab States, the Organization of Islamic Conference (OIC), the Islamic Development Bank (IDB), the Arab League for Educational, Cultural and Scientific Organization (ALECSO), the Islamic Educational, Scientific and Cultural Organization (ISESCO), the Gulf Cooperation Council (GCC) the Arab Lawyers Union, Association of South East Asian Nations (ASEAN), BIMST-Economic Cooperation, South Asian Association for Regional Cooperation (SAARC), Pacific Island Forum Countries, MERCUSOR, the Caribbean Community and Common Market (CARICOM), the secretariat for Central America Integration (SIECA), the Andean</p> | |

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|--|---|--|
| | Community (CAN), OECS, the <i>Organisation internationale de la Francophonie</i> (OIF), International Trademark Association (INTA), the International Confederation of Societies of Authors and Composers (CISAC), International Federation of Reprographic Rights Organizations (IFFRO), Interpol, World Customs Organization (WCO). | |
|--|---|--|

(I) Arbitration and Mediation related Services:

Technical assistance activities related to the work of the Arbitration and Mediation Center are the following:

| Title | Description | Contact point/Link |
|---|--|--|
| A Distance learning course | WIPO offers a distance learning course about the main features and alternative dispute resolution procedures designed by the WIPO Arbitration and Mediation Center. | Service providers: WIPO Academy / the Arbitration and Mediation Center Focal point within WIPO: Executive Director, WIPO Academy Website link: www.wipo.int/academy/en/courses/distance_learning |
| The Domain Name Dispute Resolution Service for country code Top Level Domains (ccTLDs) | As of June 2012, the WIPO Arbitration and Mediation Center provides advice to 65 ccTLD administrators, in particular from developing countries, with a view to establishing registration conditions and dispute resolution procedures as well as a diverse information resources to users who wish to register ccTLD domain names or file disputes in relation to such domain names. | Service provider: Arbitration and Mediation Center Focal point within WIPO: The Director Website link: www.wipo.int/amc/en/domains/cctld/index.html |

(m) Enhancing public awareness about IP:

WIPO offers a number of tools and services to help optimize communication. These tools are:

| Title | Description | Contact point/Link |
|--|---|--|
| National outreach strategies and campaign and practical workshops | A Guide on planning and implementing outreach campaigns. | Web site link: www.wipo.int/ip_outreach/en |
| Regional training workshops for journalists | Customized workshops are organized upon request to increase IP awareness among journalists. | Web site link: http://www.wipo.int/ip-outreach/en/tools/guides/ |
| WIPO awards program | The program consists in awarding medals to outstanding inventors and innovators, creators around the world. | Web site link: www.wipo.int/ip_outreach/awards/en |
| World IP Day | Each year, the IP community celebrates the World IP Day on April 26. Anyone interested in joining the celebration should contact the IP office in his/her country. On this occasion, WIPO provides promotional materials and an IP Day Facebook page is also available. | Web site link: www.wipo.int/ip_outreach/ipday/en |
| Online tools include: WIPO's YouTube Channel | WIPO collects short stories on successful use of the IP system mainly in developing from inventors and creators that can be featured on its YouTube Channel. | Web site link: www.youtube.com/user/wipo |

| Title | Description | Contact points/Links |
|---|---|--|
| WIPO videos | Videos produced by WIPO to show examples of successful use of IP by inventors and creators. | Web site link: www.youtube.com/user/wipo |
| Outreach in practice and Outreach database | The database contains information of and links to interesting IP outreach initiatives around the world | Service provider: Communication Division Focal point within WIPO: The Director Web site link: www.wipo.int/ip-outreach/en |
| Outreach database | The outreach database contains studies on the awareness, attitudes and behavior of various audiences in relation to IP. | Web site link: www.wipo.int/ip-outreach/en |
| WIPO publications and library | <p>WIPO Library offers:</p> <ul style="list-style-type: none"> – over 35, 000 references - paper and online library services including access to journal subscriptions and databases of current literature – general information and educational publications for children and schools. | Service provider: WIPO Library Focal point within WIPO: Head Web site link: N/A |

| Title | Description | Contact points/Links |
|---------------------------------------|---|---|
| The Depository library program | Upon request, Member States or institutions wishing to serve as WIPO reference in the country, receive a full collection of all WIPO publications and future updates to constitute local libraries. | Service provider: WIPO Library Focal point within WIPO: Head Web site link: N/A |

(n) Tools for countries in transition:

| Title | Description | Contact point/Link |
|--|--|---|
| Guidance for the development of intellectual property strategy in countries in transition | The tool shows the steps to successful formulation and conclusion of a national IP strategy. | Service provider: Department for transition and Developed Countries (TDC) Focal point within WIPO: The Director Web site link: www.wipo.int/dcea/en/tools |
| Model IP Policy for universities and research institutions in countries in transition | A practical guide aimed at stimulating the development of IP policies and the establishment of IP infrastructure for universities and educational institutions. | Web site link: www.wipo.int/dcea/en/tools |
| Management of academic IP and early stage innovation in countries in transition | A practical tool to help university technology managers and innovation agents in early phase management of innovation and transfer of technology from the university to the market place. The tool focusses mainly on intellectual property protection, knowledge transfer, collaboration research contract, organizational and human resources aspects. | Web site link: www.wipo.int/dcea/en/tools |

| Title | Description | Contact points/Links |
|---|---|---|
| Nation branding | A tool aimed at assisting Member States in developing a strong and distinctive brand for national products and services, and creating a nation brand with a view to gaining a competitive advantage on the domestic, regional and world market. | Web site link: www.wipo.int/dcea/en/tools |
| IP teaching in countries in transition | A tool for identifying the special needs of countries in transition with respect to IP training and education, defining the objectives and developing a core curriculum with innovative methodologies for teaching IP in countries in transition. | Web site link: www.wipo.int/dcea/en/tools |
| Web page for IP teachers | The purpose of the Web project is to promote and increase the effectiveness of IP teaching and training in countries in Central Eastern Europe, Caucasus and Central Asia as well as Mediterranean countries. The Web page provides a platform for networking, building collective academic and professional expertise, exchanging experience and best practice between universities, various training institutions and individuals involved in IP teaching and training, developing a database of curricula and teaching materials, disseminating information about events related to IP teaching in countries in transition, and developing a WIPO tool for teaching IP dedicated to countries in transition. | Web site link: www.wipo.int/dcea/en/tools |

| Title | Description | Contact points/Links |
|---|---|---|
| Enforcement of IP Rights | A tool designed to assist law enforcement agencies, the judiciary, the private sector and consumers in developing and implementing effective strategies for tackling counterfeiting and piracy at the national and regional levels. | Web site link: www.wipo.int/dcea/en/tools |
| A Study on special features of the copyright system of countries in transition | <p>The research work covers the following issues:</p> <ul style="list-style-type: none"> – The state of administration of copyright (governmental tasks and organizational structure including relevant provisions in copyright laws); – Adherence to, and implementation of, the 1996 WIPO Internet treaties and the related provisions in national legislation; – Provisions of the copyright laws on original ownership of rights (in particular as regards works created by employed authors) and on the issue of transferability of economic rights; – Legislative regulation of copyright contracts; – Collective management of copyright and related rights and regulation thereof in the copyright laws. | Web site link: www.wipo.int/dcea/en/tools |

| Title | Description | Contact points/Links |
|--|---|--|
| Adaptation of the copyright laws of countries in transition to new technologies | <p>The subject matter of the paper is the accession to, and implementation of the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT). The paper describes the main characteristic and the status of accession to these treaties. It also deals in detail with the implementation of the provisions of the Treaties which were adopted in response to the challenges raised by digital technology and the Internet in the framework of the Digital Agenda.</p> | <p>Web site link: www.wipo.int/dcea/en/tools</p> |
| Economic aspects of IP in countries in transition | <p>This initiative will include the study on emerging issues in the region regarding the use of IP rights for economic development.</p> | <p>Web site link: www.wipo.int/dcea/en/tools</p> |

(o) Economic studies:

WIPO is engaged in various academic economic studies to raise the awareness of policy makers and the public on the challenges and the impact of IP on the economic performance, inform policy choices and stimulate policy debates at the national, regional and international levels. All related publications and materials are available at: www.wipo.int/econ_stat/en.

| Title | Description | Contact point/Link |
|---|--|---|
| WIPO seminar Series | WIPO series on the economics of IP cover a wide range of topics related to patents, innovation, copyright, trademarks, etc. Video recordings of the presentations and the research papers are available. | Service provider: Economics and Statistics Division Focal point within WIPO: The Chief Economist Web site link: www.wipo.int/econ_stat/en/economics/seminars.html |
| The Development Studies | Development studies address various topical issues of relevance to developing countries, such as IP and brain drain, IP and the informal economy and IP and socio-economic development. | Web site link: www.wipo.int/econ_stat/en/economics/seminars.html |
| The World Intellectual Property Report | The Report is a useful reference. The World IP Report 2011 describes key trends in innovation landscape. | Web site link: www.wipo.int/econ_stat/en/economics/wipr |
| The Global Innovation Index | The Global Innovation Index is another source of valuable information. The sixth edition focuses on local dynamics of innovation as a key to overcome the global innovation divide. | Web site link: www.wipo.int/econ_stat/en/economics/gii/index.html |

| Title | Description | Contact points/Links |
|--|--|---|
| IP Statistics | Up-to-date statistics from around the world. | Web site link: www.wipo.int/ipstats/en/ |
| WIPO Economic Research Working Papers | These are economic and statistical studies from academic conferences organized or supported by WIPO. | Web site link: www.wipo.int/econ_stat/en/economics/publications.html |

(p) Providing support and advice in mobilizing resources and partnerships for IP:

| Title | Description | Contact point/Link |
|--|--|--|
| Support and advice in mobilization of resources and partnerships for IP | <p>The assistance includes:</p> <ul style="list-style-type: none"> – The identification of potential funding sources; – Provision of advice and assistance in designing bankable projects; and – Creating platforms for resource mobilization with the participation of potential donors and recipient countries. | <p>Service provider: External Relations Department Focal point within WIPO: The Executive Director Web site link: www.wipo.int/en</p> |

Part 2: Assistance to Least Developed Countries (LDCs)

In line with the Development Agenda and in the framework of Strategic Goal III: Facilitating the use of IP for development, WIPO technical assistance pays attention to the special needs of the 49 LDCs, 30 countries from Africa, 4 from the Arab region, 14 from Asia and the Pacific and one from Latin America and the Caribbean countries. The LDCs are among the beneficiaries of the traditional legislative, infrastructure and capacity building support in addition to specific projects and activities specially designed to meet the needs of LDCs and coordinated and spearheaded by the Division for Least Developed Countries. These activities are:

| Title | Description | Contact point/Link |
|---|--|---|
| Development of IP and innovation policies | Under this program, technical support and advice is provided to LDCs upon request. This is done in close collaboration with the WIPO Innovation Division. | Service providers: Regional Bureaus/Innovation Division/the Division for Least Developed Countries Focal points within WIPO: The Directors of Regional Bureaus Web site link: www.wipo.int/ldcs/en |
| Ministerial Conferences and High level Inter regional Round tables | An annual event is organized to foster high level debate on IP policy issues of interest to LDCs. | Service provider: The Division for LDCs Focal point: The Director Web site link: www.wipo.int/ldcs/en |
| The establishment of IP Advisory Services and Information Centers | Upon request, LDCs receive assistance in establishing IP dedicated advisory and information centers as valuable tools in enhancing the reach to the research, scientific and business communities. | Service provider: The Division for LDCs Focal point: The Director Web site link: www.wipo.int/ldcs/en |

| Title | Description | Contact points/Links |
|---|---|--|
| IP and branding of local products | The pilot project carried out in Uganda consisted in helping to identify and add value to local agricultural products through effective use of IP. | Service providers: Department for Africa and Special projects/Division for LDCs/Regional Bureaus Focal points within WIPO: Director, Regional Bureaus Web site link: www.wipo.int/ldcs/en |
| Capacity-building in the use of Appropriate technology projects: | <p>The aim of the project is to assist the country in:</p> <ul style="list-style-type: none"> (i) identifying the technological problem to be addressed taking into account the country's priority needs, (ii) searching for appropriate technological solutions using WIPO tools, and (iii) based on the findings, helping to design and implement a business plan in close consultation with relevant stakeholders. <p>Pilot projects were implemented in 3 LDCs, namely Bangladesh, Nepal and Zambia.</p> | Service provider: Division for LDCs Focal point: The Director Web site link: www.wipo.int/ldcs/en |

| Title | Description | Contact points/Links |
|--|---|---|
| <p>Advanced course on industrial property in the global economy</p> | <p>The course is organized annually with funding from Sweden for policy and decision-makers from LDCs. It is held in four phases, namely: a needs evaluation by participants; a two-week course organized in Stockholm to enhance IP knowledge and sharing of experiences with resource persons and the Swedish participants; upon return to their respective home countries, development of an IP project by participants; and holding a one week seminar a year later to review the projects.</p> | <p>Service providers: WIPO Academy and the Division for LDCs Focal point: The Director, Division for LDCs Web site link: www.wipo.int/ldcs/en</p> |

[Annexes follow]

Annex I

ORIGINAL: ENGLISH
DATE: MAY 17, 2013

Committee on Development and Intellectual Property (CDIP)

Eleventh Session
Geneva, May 13 to 17, 2013

SUMMARY BY THE CHAIR

1. The eleventh session of the CDIP was held from May 13 to 17, 2013. The session was attended by 94 Member States and 37 Observers.
2. The Committee re-elected Ambassador Mohamed Siad DOUALEH, Permanent Representative of Djibouti as Chair, and elected Mrs. Ekaterina EGUTIA, Deputy Head, National Intellectual Property Center (SAKPATENTI), Georgia, as Vice-Chair.
3. The Committee adopted the Draft Agenda as proposed in document CDIP/11/1 Prov. 2.
4. Under Agenda Item 4, the Committee adopted the draft report of the tenth session of the CDIP (CDIP/10/18 Prov.).
5. Under Agenda Item 5, the Committee listened to general statements from Group Coordinators. Individual delegations were requested to submit their statements in writing.
6. Under Agenda Item 6, the Committee considered document CDIP/11/2. The Director General introduced his Report on the Implementation of the Development Agenda during 2012. Delegations appreciated the commitment of the Director General in providing annual reports. A number of observations were made on the Report and clarifications were sought, in particular with regard to Country Plans and WIPO's participation in the Rio+20 process and the MDGs Task Force. The Deputy Director General, Mr. Geoffrey Onyeama, and Director of the WIPO New York Office, replied to the observations and agreed to introduce enhancements in future reports. It was agreed that the Secretariat would organize briefings to the Member States on WIPO's contribution to the work of other United Nations entities.
7. Under Agenda Item 7, the Committee considered a work program for the implementation of some adopted recommendations, as follows:
 - (a) The Committee took note of the report on the Feasibility of Integration of Millennium Development Goals (MDGs) Related Needs/Outcomes into WIPO's Biennial Results Framework (CDIP/11/3), prepared by the Evaluation Consultant, and the additional clarifications provided by the Secretariat on this matter. The Committee recognized that WIPO should contribute to the implementation of the MDGs, but

expressed different views on whether further steps were needed to further integrate the MDGs into the objectives of the Organization. Some delegations proposed developing specific indicators to measure WIPO's contribution to MDGs, while other delegations did not support this proposal. The Secretariat was requested, using existing internal resources, to prepare a compilation of the practices by which other United Nations agencies, in particular the other specialized United Nations agencies, measure their contribution to the MDGs, and to provide a brief report to the next session of the Committee as to how WIPO has contributed to the MDGs to date, drawing upon the existing studies commissioned on this matter including, but not limited to, document CDIP/11/3. This brief report could include information on WIPO's contribution to the six targets under MDGs 1, 6 and 8, using the methodology provided in document CDIP/11/3, and should also include an assessment in narrative form as to how WIPO is contributing to the other five MDGs, although at this time not necessarily using the methodology used in document CDIP/11/3.

(b) The Committee discussed the External Review of WIPO Technical Assistance in the Area of Cooperation for Development (CDIP/8/INF/1) and a number of related documents, namely:

- (i) Management Response to the External Review of WIPO Technical Assistance in the Area of Cooperation for Development (CDIP/9/14);
- (ii) Report of the *Ad Hoc* Working Group of an External Review of WIPO Technical Assistance in the Area of Cooperation for Development (CDIP/9/15);
- (iii) Joint Proposal by the Development Agenda Group (DAG) and the Africa Group on WIPO's Technical Assistance in the Area of Cooperation for Development (CDIP/9/16); and
- (iv) Status of Implementation of Certain Recommendations Extracted from the Report on the External Review of WIPO Technical Assistance in the Field of Cooperation for Development (CDIP/11/4).

Recognizing the Secretariat's ongoing work on the recommendations, and the need to take further actions, the Committee requested the Secretariat to continue its work and take further actions on the following three proposals, taking into account the comments made by the delegations, and provide a report to the next session of the CDIP:

- (i) To compile existing materials into a comprehensive Manual on the delivery of technical assistance, in line with recommendation A(2)(a) in document CDIP/9/16;
- (ii) To ensure that WIPO's website is upgraded to serve as a more effective, accessible and up-to-date resource for communicating information about development cooperation activities, in line with recommendation F(1)(a) and (b) in document CDIP/9/16; and
- (iii) To examine the Technical Assistance Database (TAD) with a view to facilitate searching capabilities, and ensuring the regular updating of the TAD with information on technical assistance activities, in line with recommendation G(1) in document CDIP/9/16.

It was agreed that the Committee would continue discussions at its next session on Member State proposals on this topic.

(c) The Committee considered document CDIP/11/5 on the organization of the International Conference on Intellectual Property and Development. It was agreed that the Secretariat would draw up a list of speakers for the Conference, and circulate it to Group Coordinators for endorsement.

(d) The Committee discussed the Feasibility Assessment on Possible New WIPO Activities Related to Using Copyright to Promote Access to Information and Creative Content (CDIP/11/6). Some delegations expressed support for the proposals presented in the document and provided a number of comments and suggestions. Other delegations requested the Secretariat to prepare a more detailed implementation plan, including information on financial and human resource implications, to be considered at the next session of the Committee.

(e) The Committee considered a Project Proposal from the Republic of Korea on Intellectual Property (IP) and Design Creation for Business Development in Developing and Least Developed Countries (LDCs) (CDIP/11/7). Delegations expressed appreciation for the proposal and thanked the Republic of Korea for this initiative. The Republic of Korea was requested to work with the Secretariat to further develop the proposal into a CDIP project document, bearing in mind the observations made from the floor, including by the LDC Group, and present it to the next session of the Committee for consideration.

(f) The Committee discussed the Independent Review of the Implementation of the Development Agenda Recommendations as requested under the Coordination Mechanism and Monitoring, Assessing and Reporting Modalities. Recalling the related decision of the General Assembly, the Committee took note of the Joint Proposal on Terms of Reference and Methodology for the Independent Review of the Implementation of the Development Agenda Recommendations submitted by the African Group and Development Agenda Group. The Committee agreed to devote sufficient time for discussion on this matter at its next session with a view to implementing the General Assembly's decision that the Review should be undertaken by the end of the 2012/2013 biennium. To that end, the Committee agreed to hold one informal meeting prior to its next session.

(g) The Committee discussed the following documents and took note of their contents:

- (i) Potential Impact of Intellectual Property Rights on the Forestry Chain in Uruguay (CDIP/11/INF/2);
- (ii) Intellectual Property and Socio-Economic Development – Country Study Brazil (CDIP/11/INF/3);
- (iii) Intellectual Property (IP) and Socio-Economic Development in Chile (CDIP/11/INF/4); and
- (iii) Conceptual Study on Innovation, Intellectual Property and the Informal Economy (CDIP/11/INF/5).

Some delegations supported the proposal for a standing agenda item to address case studies on IP, while other delegations objected to the proposal. It was agreed that future studies under the project on Intellectual Property and Socio-Economic Development (CDIP/5/7) would be discussed by the Committee in its future sessions.

(h) The Committee continued discussions on Future Work on Patent-Related Flexibilities in the Multilateral Legal Framework (CDIP/10/11 and CDIP/10/11 Add.). The Committee requested the Secretariat to undertake work on the following flexibilities:

- (i) the scope of the exclusion from patentability of plants (TRIPS Art.27); and flexibilities in respect of the patentability, or exclusion from patentability, of software-related inventions (TRIPS Art.27).

The Secretariat should use existing internal resources to prepare a factual document on the implementation in national laws of these flexibilities and avoiding duplication with other work taking place at WIPO while building on work being undertaken by the Standing Committee on the Law of Patents. The document should be presented to a future session of the Committee. The Committee would continue discussions on further work on flexibilities at its next session.

(i) The Committee discussed a Proposal for a CDIP New Agenda Item on Intellectual Property (IP) and Development (CDIP/6/12 Rev.). Different views were expressed on the proposal. Member States were invited by the Chair to provide more details on the proposal to facilitate future discussions. The discussion on this agenda item will continue at the next session.

8. Under Agenda Item 8 on Future Work, the Committee discussed a number of proposals and agreed upon a list of issues/documents for the next session.

9. The Committee noted that the Draft Report of the eleventh session would be prepared by the Secretariat and communicated to the Permanent Missions of the Member States, and would also be made available to Member States, IGOs and NGOs, in electronic form, on the WIPO website. Comments on the Draft Report should be communicated in written form to the Secretariat, preferably eight weeks before the next meeting. The Draft Report will then be considered for adoption at the twelfth session of the Committee.

10. This Summary will constitute the Committee's report to the General Assembly.

[End of the Summary by the Chair]

Joint Proposal by the Development Agenda Group and the Africa Group on WIPO's Technical Assistance in the Area of Cooperation for Development

Recommendations

1. Development cooperation must be based on a dialogue in the context of national development needs and strategies and WIPO's obligations to advance the Development Agenda. The focus of WIPO's development cooperation activities should go beyond 'responding to requests', and promote a dialogue with and among member states about needs and priorities and the appropriateness of different kinds of assistance given a country's level of development, preparedness, absorptive capacity and risks, as well as the competing demands on WIPO's resources and its obligations to advance the WIPO Development Agenda⁷.
2. WIPO staff should address obstacles and risks frankly with national authorities so that expected outcomes and results are realistic.⁸
3. Stronger efforts should be made to identify options and discuss alternatives where activities are beyond the scope of those WIPO is in a position to undertake.⁹
4. Greater attention to development cooperation activities that enable South-South cooperation should be a priority. For instance, the sharing of experiences and expertise among developing countries could be enhanced as a way to deliver more development-oriented and efficient activities.¹⁰
5. WIPO should improve efforts to better tailor its development cooperation activities to national development objectives and circumstances. A development-oriented approach must consistently integrate and acknowledge the importance of the social and economic context, national development goals and priorities, and the broader regulatory and institutional environment of the country.¹¹
6. WIPO should assist countries to undertake and update national needs assessment for IP-related development cooperation activities informed by national IP and development policies or strategies.¹²
7. Needs assessments should be used to improve country-level planning of development cooperation activities that are linked to clear expected results, targets and performance indicators.¹³
8. The WIPO Secretariat and beneficiaries must pursue a more meaningful dialogue on preparedness, challenges and risks. The WIPO Secretariat should make greater up-front efforts to inform countries of the demands development cooperation activities may place on national resources – institutional, human and financial – from the needs assessments phase through to the design and implementation of country plans. The Secretariat should tailor, adjust or postpone proposed activities based on an assessment of internal

⁷ See pg. 62 of the External Review

⁸ See pg. 62 of the External Review

⁹ See pg. 62 of the External Review

¹⁰ See pg. 63 of the External Review

¹¹ See pg. 63 of the External Review

¹² See pg. 63 of the External Review

¹³ See pg. 63 of the External Review

resources available in beneficiary countries. The country planning process should be a tool for building mutual understanding of resource constraints and the need for priority-setting.¹⁴

9. WIPO should at the request of a Member state support efforts to establish national committees on development and IP involving the full range of relevant government agencies working on public policy in areas impacted by IP reforms (such as health, education, cultural, agricultural and industrial agencies) including providing support for public consultation and engagement in the formulation of country plans and the design and delivery of IP-related development assistance.¹⁵
10. WIPO should ensure a balance of perspectives and diversity of stakeholders and experts involved in the provision of technical assistance.¹⁶
11. Greater attention is needed to ensuring the development-orientation, internal and external peer-review, quality, communication strategy and availability of research and studies conducted by WIPO.¹⁷
12. WIPO should support efforts to build knowledge and expertise within and beyond the organization on the relationship between various IP systems, rules, policies and practices and their development impacts at varying levels and for different sectors. This would then form an important basis for understanding the degree to which WIPO's development cooperation activities contribute to particular development outcomes.¹⁸
13. WIPO should invest greater attention to its own gathering and systematization of data used to measure its performance. This must be complemented by support for Member States to also gather data relevant to measuring the relationship between IP policy, legal and regulatory frameworks and various development outcomes, and the impact of WIPO's development cooperation activities. At the outset of major activities, WIPO staff and local authorities should agree on how progress and success of the activity will be measured, and the process for gathering the data needed to make such assessments.¹⁹
14. WIPO should improve its support to developing countries for the formulation of national IP strategies that address development priorities. WIPO's assistance in the area of IP policies and strategies must be based on tools and methodologies that have been thoroughly evaluated, refined and validated.²⁰
15. To facilitate the critical review and improvement of WIPO's tools and methodologies used to inform IP strategies, these should be made publicly available on WIPO's website.²¹
16. Member states requesting assistance for the formulation of IP strategies should be informed about the tools and methodologies produced by WIPO and by other actors in the field.²²

¹⁴ See pg. 63 of the External Review

¹⁵ See pg. 63 of the External Review

¹⁶ See pg. 63 of the External Review

¹⁷ See pg. 64 of the External Review

¹⁸ See pg. 75 of the External Review

¹⁹ See pg. 168 of the External Review

²⁰ See pg. 86 of the External Review

²¹ See pg. 86 of the External Review

²² See pg. 87 of the External Review

17. The objective of WIPO's legislative assistance should be to serve the developmental objectives of the beneficiary country.²³
18. Before responding to a request for legislative assistance, WIPO should work with the country to investigate its development priorities, its sector-by-sector needs (e.g. agriculture, health, education, information technology, etc.), and its relevant international commitments²⁴
19. WIPO should present developing countries the range of options and flexibilities available in international laws. It should also explain and/or share experiences of how different options may hinder or advance their pursuit of development targets.²⁵
20. WIPO should support Members to evaluate the costs and benefits of acceding to WIPO Treaties.²⁶
21. IP education should not be pursued in isolation, but linked to other areas of education and broader public policy issues such as innovation policy, science and technology, education, cultural industries, etc.²⁷
22. Greater attention should be paid to up-front assessment of risks and to dialogue with beneficiary countries on the conditions for success of IP Office modernization projects and ongoing follow up and commitment required by beneficiary countries.²⁸
23. WIPO should ensure a greater balance between its support for traditional users of the IP system (rightholders) and for users of IP-protected products and services (researchers, libraries, students, citizens seeking access to technology).²⁹
24. Even where there is high demand by Member States for WIPO's activities for users, such as for TISCs, the success of pilot projects already underway should be evaluated before their expansion. The evaluation could then serve as a basis for applying lessons to any future work in this area; assessing how the activities could be best mainstreamed or integrated with WIPO's other development cooperation activities; and prioritizing the requests of countries in line with national IP strategies, needs assessments and country plans for WIPO assistance.³⁰
25. WIPO's activities on innovation and creativity must be informed by broader debates and experience on innovation systems, development strategies and public policy goals, such as access to knowledge. WIPO's role should be to build understanding of where and how IP-related mechanisms and strategies may or may not assist developing countries to advance progress in these areas and place that analysis and assistance more firmly in the context of the range of other policy measures and institutional actions needed.³¹

[Annex II follows]

²³ See pg. 102 of the External Review

²⁴ See pg. 102 of the External Review

²⁵ See pg. 102 of the External Review

²⁶ See pg. 102 of the External Review

²⁷ See pg. 130 of the External Review

²⁸ See pg. 118 of the External Review

²⁹ See pg. 139 of the External Review

³⁰ See pg. 140 of the External Review

³¹ See pg. 143-144 of the External Review

Annex II

Country Plan Template: a Tool for Planning and Delivery of WIPO Technical Assistance

Basic Principles and Process

1. The Country Plan will provide a tailored and comprehensive framework for planning and delivering WIPO's technical assistance to a country. The Country Plan will take into account the national development goals of the country based on its national development plans, including where available, IP and innovation strategies and policies, and will reflect how WIPO will support the country to use IP to contribute to the attainment of those development goals.
2. The architecture of the Plan will take into account the WIPO organizational planning context, i.e. the Expected Results of the Program and Budget³².
3. The Plan will be a two-year plan based on at least three levels of consultations:
 - i) between Regional Bureaus/Division for Least Developed Countries and countries;
 - ii) internally within WIPO, i.e. Regional Bureaus with other sectors/programs in WIPO
 - iii) between Regional Bureaus and countries (validation); and
 - iv) between WIPO and other regional/international organizations, if applicable.

It is expected that the country will agree to the Plan before start of implementation.

4. The planning and delivery process will be based on:
 - i) identification of needs, priorities and objectives;
 - ii) identification of expected results and performance indicators or deliverables;
 - iii) implementation of an accepted methodology or a set of activities to achieve the results over the period of the Plan; and
 - iv) available resources (Regional Bureaus, Division for LDCs and other WIPO sectors/programs).
5. Implementation of the Plan will be subject to an annual review and evaluation to be aligned with the annual program performance reporting. Adjustments may be made to the Plan during implementation as well as after such review and evaluation.
6. All sectors of WIPO involved in development activities will contribute their inputs to the Plan based on the above principles and process. At the beginning of the country planning exercise, and thereafter as required, the relevant sectors of WIPO shall forward their inputs to the Regional Bureaus for appropriate inclusion in the Plan. The Regional Bureaus will drive the process, ensure inclusive consultation and monitor the delivery of results.

³² For the planning period 2012/13, please refer to the Program and Budget 2012/13.

WIPO – [Name of Country] Plan 2012/13

Agreed to between WIPO and Country – [Date]

I. Planning context – Linkages to: existing national IP policies and strategies , **S&T policies and strategies** , **innovation strategy**
Culture and creativity policy and strategy ; **medium term development plan** **vision statements** , **industrial strategies and plans**

II. Consultation process – Bureaus - country ; **Internal (WIPO)** **Validation (Bureaus-country)** ; **Others**

III. Country Work Plan matrix

| Strategic Goals | Expected results (P&B) | Country Specific Performance Indicators | Activities/deliverables (year 1) | Activities/deliverables (year 2) |
|---|---|---|----------------------------------|----------------------------------|
| SG I: Balanced Evolution of the International Normative Framework for IP | Tailored and balanced IP legislative, regulatory and policy Frameworks | | | |
| | Evidence-based decision making on copyright issues | | | |
| SG II: Provision of Premier Global IP Services | Stronger relationships with PCT users and Offices | | | |
| | Wider & better use of the Hague system | | | |
| | Better use of the Madrid & Lisbon systems, including by developing countries and LDCs | | | |
| SG III: Facilitating the use of IP for Development | Clearly defined and coherent national innovations and IP policies, strategies and development plans consistent with national development goals and objectives | | | |
| | Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition | | | |
| | Upgraded IP Management skills for Business | | | |
| | New or strengthened cooperation | | | |

| | | | | |
|--|---|--|--|--|
| | mechanisms, programs and partnerships in LDCs | | | |
| | Increased understanding/ capacity of SMEs to successfully use IP to support innovation and commercialization | | | |
| SG IV: Coordination & Development of Global IP Infrastructure | Enhanced access to, and use of, IP information and knowledge by IP institutions and the public to promote innovation and increased access to protected creative works and creative works in the public domain | | | |
| | Increased dissemination of digitized patent and trademark collections of national/regional offices of WIPO Member States | | | |
| | Enhanced technical and knowledge infrastructure for IP Offices and other IP institutions leading to better business solutions services (cheaper, faster, higher quality) to their stakeholders | | | |
| SG VI: International Cooperation on Building Respect for IP | Progress in the international policy dialogue among WIPO Member States on building respect for IP, guided by Recommendation 45 of WIPO Development Agenda | | | |

[Annex III follows]

Annex III

List of principles, recommendations and WIPO instructions guiding provision of technical assistance

- The Convention establishing the World Intellectual Property Organization (WIPO), 1970
- Agreement between the United Nations and the World Intellectual Property Organization, December 1974 (Articles 9 and 10 related to the provision of technical assistance for development in the field of intellectual creation and promoting and facilitating transfer of technology to developing countries, respectively)
- Agreement between the World Intellectual Property Organization and the World Trade Organization, Article 4: Legal-technical Assistance and Cooperation, December 1995
- WIPO Development Agenda Recommendations adopted in October 2007
- Roadmap for WIPO Strategic Realignment Program (SRP), April 2010, updated in 2011
- Recommendations of the External Review of WIPO Technical Assistance in the area of Cooperation for Development, August 2011
- WIPO Code of Ethics, 2012

[End of Annex III and end of the document]

For more information
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