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ASSEMBLIES OF THE MEMBER STATES OF WIPO

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MEDIUM-TERM PLAN FOR WIPO PROGRAM ACTIVITIES -
VISION AND STRATEGIC DIRECTION OF WIPO

Memorandum of the Director General

Introduction

1. Every fourth year, the Director General is required to present a "plan for the medium term" covering four years following the biennial period for which he presents, at the same time, a draft program and budget. The last such plan was presented to Member States in 1999.

2. The current document presents a Medium-term Plan for WIPO programs and activities highlighting the vision and strategic direction of WIPO for the four-year period from 2006 to 2009 following the 2004-2005 biennium.

Vision

3. The main objectives of the Medium-term Plan, as expressed in the past remain constant: maintenance and further development of the respect for intellectual property throughout the world. This means that any erosion of the existing protections should be prevented, and that both the acquisition of the protection and, once acquired, its enforcement, should be simpler, cheaper and more secure.

4. The objectives mentioned above are mandated by the Convention Establishing the World Intellectual Property Organization, Article 3 of which clearly states:

“(i) to promote the protection of intellectual property throughout the world through cooperation among States and, where appropriate, in collaboration with any other international organization,

“(ii) to ensure administrative cooperation among the Unions.”

5. The 21st Century is a century of many challenges - including bridging the widening knowledge divide, the reduction of poverty, and the attainment of prosperity for all. The success of a country in meeting these challenges will depend upon its ability to develop, utilize and protect its national creativity and innovation. An effective intellectual property (IP) system allied to proactive policy-making and focused strategic planning, will help such a nation promote and protect its intellectual assets, driving economic growth and wealth creation.

6. In this context, there is a widely recognized need to enhance and develop the objectives stated in the WIPO Convention in order to enable the Organization to better assist Member States in meeting the challenges of the changing world.

7. Thus, WIPO's objective for the new century is the promotion of the effective protection and use of intellectual property throughout the world through cooperation with and among Member States and all other stakeholders. This is to be achieved by creating an environment and infrastructure conducive to an enhanced understanding of the contribution of IP to human life through economic, social and cultural development, and, in particular, by assisting developing countries in their capacity building for greater access to, and use of, the IP system. WIPO seeks to continually enhance its role as the leading international organization, and the UN specialized agency, responsible for initiatives in respect of effective international cooperation in the area of IP.

8. It is recalled that, in September 1999, Member States noted with satisfaction the content of document A/34/3 “Vision and Strategic Direction of WIPO,” which contained a Medium-term Plan for the period from 2002 to 2005. It is further recalled that the plan listed several priority areas identified by the Organization as being of key importance in responding to the challenges facing Member States. They included demystification, empowerment, collective leadership, synergies, promotion of creative and innovative activity, progressive development and codification of international IP law, global protection systems and services and the global cooperation system. In order to strengthen its effectiveness in responding to the needs of Member States in these and other areas, WIPO has modernized its infrastructure and improved its management, and has also, over the last four years, introduced several new initiatives to deal with the dynamic and rapid evolution of the IP-related environment. Much progress has been made, for example, the demystification campaign, in particular, has heightened understanding among leaders and policy-makers worldwide of the importance of IP as a policy tool for the economic, social and cultural development of all countries.

9. Against this backdrop and to consolidate what has been achieved, it is proposed that the next medium-term plan, for 2006 to 2009, should continue to reflect “the central role of IP as an important tool for social development, economic growth and wealth creation” (document A/38/3). It will also seek to enhance global understanding of IP as “the foundation of human existence and co-existence,” [which] “is foreign to no culture and native to all

nations” (document A/38/3). Therefore, WIPO’s major objective can be said to be making IP “close to people recognizing the diversity of cultures, origins and systems” (document A/38/3).

Policy Framework

10. To realize the above, a policy framework will be established on the basis of the principles developed during the current Medium-term Plan. These are:

- (a) IP is an important factor in fostering creativity and invention, which are the driving forces in a knowledge-based economy.
- (b) Every country should be encouraged to develop an IP culture appropriate to its needs, including a focused national IP strategy, the most suitable national IP system, and the fostering of a nation-wide perception of IP (both at the policy planning and grass-roots levels) as a powerful tool for economic, social and cultural development.
- (c) The IP system, including its legal and institutional infrastructure and human resources capacity, should meet national policy objectives. It should also be effective, affordable and easily accessible to all stakeholders, including individuals and Small and Medium-Sized Enterprises (SMEs).
- (d) The IP system should maintain a balance between the interests of the holders of intellectual property rights (IPRs) and those of the public at large. While being mindful of national policy objectives, it should also be consistent with international IP laws and international agreements.
- (e) WIPO’s global protection systems and services (i.e., the PCT, Madrid, Hague and Lisbon systems) as well as the services of the WIPO Arbitration and Mediation Center, should continue to be effective, of high quality, and geared to meeting the needs of users, including innovators, researchers, entrepreneurs, particularly SMEs, and academic institutions.
- (f) As the specialized agency of the United Nations responsible for IP, WIPO’s activities include leadership initiatives in that field with a view to increasing cooperation with other UN bodies and heightening awareness among them as well as among the general public and policy-makers, of the role of IP within the framework of the UN Millennium Development Goals.
- (g) WIPO’s cooperation with governments and the private sector should be reinforced to enhance technical assistance in favor of developing countries and countries in transition to a market economy. This includes the necessary support in capacity building and the development of appropriate infrastructures, as well as the strengthening of human resources.
- (h) Modernization of program, budget and accounting practices will ensure greater openness, transparency and efficiency in the management and implementation of activities.

Strategic Goals

11. In transforming WIPO's vision into reality, strategic goals are set out as follows:

(a) Promotion of an IP culture; on the one hand, to encourage creators and innovators to obtain, use and license IP rights and assets, and, on the other hand, to seek greater respect by the public for IP rights and assets. This will include making resources and expertise available to assist Member States in their own effort to develop an IP culture through cooperation with governments, intergovernmental organizations and partners in private sectors.

(b) Development of balanced international IP laws which are: responsive to emerging needs; effective in encouraging innovation and creation; and sufficiently flexible to accommodate national policy objectives.

(c) Provision of consistent and customized assistance to Member States in developing national/regional IP systems, including legal infrastructure, institutional framework and human resources.

(d) Enhancement of global protection systems to make them more easily accessible and affordable to all stakeholders, in particular.

(e) Further streamlining of the management and administrative processes within WIPO to intensify efforts to achieve greater efficiency as well as the initiation of improved monitoring and evaluation systems to examine the achievement of expected results.

Operational Principles for the Implementation of Programs

12. In each program area, specific priority -setting guidelines will be provided, based on the following operational principles:

- Program priorities will be established according to WIPO's strategic goals and the needs identified by Member States, as well as WIPO's expertise in delivering such program activities;
- Each program will be designed to ensure sufficient flexibility to respond to the evolving needs of Member States.
- Program activities should be cost -effective and with concrete deliverables;
- Programs will be individually tailored, wherever possible, in consultation with Member States, so as to promote sustainability of the results;
- Cooperation with other institutions will be encouraged, as much as possible, to achieve the greatest cost effectiveness.

Indicators for Program Evaluation

13. Performance indicators included in the draft Program and Budget for the 2004-2005 biennium in respect of all program activities (document WO/PBC/7/2) take into consideration one or more of the following broad indicators, which will be utilized in evaluating the success of WIPO's programs. These concern the impact of the activity on:

- IP policy of Member States;
- integration of IP policy into the cultural and socio-economic policies of Member States;
- enhancement and development, in quantity and quality, of IP rights and assets obtained by nationals in Member States;
- the number of accessions or ratifications, the geographical coverage and the effective use of treaties administered by WIPO;
- number and range of users of WIPO's global protection systems;
- status and function of IP-related institutions (effective IP offices and copyright collective management societies, competent courts and customs offices for IP enforcement, etc.);
- number of people who benefited under WIPO programs, including government officials, innovators, academic researchers, IP practitioners, etc.

Strategic Deliverables

14. As briefly outlined in the speech made by the Director General on his re-appointment by Member States in May 2003 (document A/38/3), WIPO's activities will be grouped into five areas, each with specific deliverables, as indicated below.

- (a) Modernization of Management
 - Enhancement of program and budget process and efficient implementation of program activities;
 - Consolidation and leveraging of IT-based tools;
 - Enhanced efficiency in PCT, Madrid and Hague systems operations.
- (b) IPO Outreach and Support
 - Better understanding of the cultural and social dimension of IP-related issues;
 - Development of tools/guidelines to assist in building greater public awareness and understanding of IP and its role and more widespread respect for IPRs;
 - Enhanced use of IP by SMEs.
- (c) Cooperation for Development
 - Strengthening of IP's role in the development of national policy (supported with analyses of the economic impact of IP);
 - Strengthening of national human resource capabilities, including training of IP professionals (e.g., training of trainers);

- Deployment of online tools for small IPO offices via WIPO NET;
 - Further development of customized regional/national action plans;
 - Continuing assistance in IPO office automation.
- (d) IP Issues and Progressive Development and Codification of International IP Law
- Better accessibility to the patents system through the WIPO Patent Agenda, including ongoing work on the draft Substantive Patent Law Treaty;
 - Further development of harmonized principles and procedural and substantive aspects of the law of trademarks and industrial designs;
 - Responses to new technologies, particularly the implementation of the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT);
 - Continuation of consultations on broadcasting rights and of negotiations to establish an international instrument for the protection of audiovisual performers;
 - Continuation of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore with a view to strengthening the framework of protection;
 - Use, where necessary, of “soft-law” solutions for certain issues.
- (e) Global IP Protection Systems and Services
- Progressive reform of the PCT and implementation of the results;
 - Expansion of the Madrid and Hague systems;
 - Expansion of the WIPO Arbitration and Mediation Center’s services to include a wide range of IP disputes.

15. The draft program and budget for the 2004 -2005 biennium (document WO/PBC/7/2) proposes, in detail, activities which are expected to contribute to the realization of such deliverables and the processes to be taken to implement them. Political imagination, goodwill and collaboration among Member States, the private sector and the Secretariat are key elements in the success of WIPO’s mission and realization of its vision.

16. The Assemblies of the Member States of WIPO and the Unions administered by WIPO are invited to take note of the content of this document.

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