

## **Assemblies of the Member States of WIPO**

### **Fifty-Fifth Series of Meetings Geneva, October 5 to 14, 2015**

#### GENERAL REPORT

*adopted by the Assemblies*

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## INTRODUCTION

1. This General Report records the deliberations and decisions of the following 20 Assemblies and other bodies of the Member States of WIPO:

- (1) WIPO General Assembly, forty-seventh (22<sup>nd</sup> ordinary) session
- (2) WIPO Conference, thirty-sixth (22<sup>nd</sup> ordinary) session
- (3) WIPO Coordination Committee, seventy-first (46<sup>th</sup> ordinary) session
- (4) Paris Union Assembly, fiftieth (22<sup>nd</sup> ordinary) session
- (5) Paris Union Executive Committee, fifty-fifth (51<sup>st</sup> ordinary) session
- (6) Berne Union Assembly, forty-fourth (22<sup>nd</sup> ordinary) session
- (7) Berne Union Executive Committee, sixty-first (46<sup>th</sup> ordinary) session
- (8) Madrid Union Assembly, forty-ninth (21<sup>st</sup> ordinary) session
- (9) Hague Union Assembly, thirty-fifth (20<sup>th</sup> ordinary) session
- (10) Nice Union Assembly, thirty-fifth (22<sup>nd</sup> ordinary) session
- (11) Lisbon Union Assembly, thirty-second (21<sup>st</sup> ordinary) session
- (12) Locarno Union Assembly, thirty-fifth (21<sup>st</sup> ordinary) session
- (13) IPC [International Patent Classification] Union Assembly, thirty-sixth (20<sup>th</sup> ordinary) session
- (14) PCT [Patent Cooperation Treaty] Union Assembly, forty-seventh (20<sup>th</sup> ordinary) session
- (15) Budapest Union Assembly, thirty-second (18<sup>th</sup> ordinary) session
- (16) Vienna Union Assembly, twenty-eighth (18<sup>th</sup> ordinary) session
- (17) WCT [WIPO Copyright Treaty] Assembly, fifteenth (7<sup>th</sup> ordinary) session
- (18) WPPT [WIPO Performances and Phonograms Treaty] Assembly, fifteenth (7<sup>th</sup> ordinary) session
- (19) PLT [Patent Law Treaty] Assembly, fourteenth (6<sup>th</sup> ordinary) session
- (20) Singapore Treaty [Singapore Treaty on the Law of Trademarks] Assembly, eighth (4<sup>th</sup> ordinary) session

meeting in Geneva from October 5 to 14, 2015, where the deliberations took place, and decisions were made in joint meetings of two or more of the said Assemblies and other bodies convened (hereinafter referred to as “the joint meeting(s)” and “the Assemblies of the Member States,” respectively).

2. In addition to this General Report, separate Reports have been drawn up on the sessions of the General Assembly (WO/GA/47/19), WIPO Conference (WO/CF/36/1), WIPO Coordination Committee (WO/CC/71/7), Paris Union Assembly (P/A/50/1), Paris Union Executive Committee (P/EC/55/1), Berne Union Assembly (B/A/44/1), Berne Union Executive Committee (B/EC/61/1), PCT Union Assembly (PCT/A/47/9), Madrid Union Assembly (MM/A/49/5), Hague Union Assembly (H/A/35/2), Lisbon Union Assembly (LI/A/32/5), Singapore Treaty Assembly (STLT/A/8/2), Nice Union Assembly (N/A/35/1), Locarno Union Assembly (LO/A/35/1), IPC Union Assembly (IPC/A/36/1), Budapest Union Assembly (BP/A/32/1), Vienna Union Assembly (VA/A/28/1), WIPO Copyright Treaty Assembly (WCT/A/15/1) and the WIPO Performances and Phonograms Treaty Assembly (WPPT/A/15/1).

3. The list of the States members of the Assemblies and other bodies concerned and the observers admitted to their sessions as of October 5, 2015, is set forth in document A/55/INF/1 Rev.

4. The meetings dealing with the following items of the Agenda (document A/55/1) were presided over by the following Chairs:

Items 1 and 2	Ambassador Päivi Kairamo (Ms.) (Finland), outgoing Chair of the General Assembly
Items 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 27, 31 and 32	Ambassador Gabriel Duque (Colombia) newly-elected Chair of the General Assembly
Item 8	Ambassador Gabriel Duque (Colombia) acted on an <i>ad hoc</i> basis as Chair of the WIPO Conference
Items 9, 23, 28, 29 and 30	Ambassador François Xavier Ngarambé (Rwanda), Chair of the Coordination Committee
Item 19	Ms. Susanne Ås Sivborg (Sweden), Chair of the PCT Union Assembly
Item 20	Mr. Miguel Ángel Margáin (Mexico), Chair of the Madrid Union Assembly
Item 21	Ms. Sarnai Ganbayar (Mongolia), Chair of the Hague Union Assembly
Item 22	Mr. Vladimir Yossifov (Bulgaria), Chair of the Lisbon Union Assembly
Item 26	Mr. Ľuboš Knoth (Slovakia), Chair of the Singapore Treaty Assembly

5. An index of interventions by delegations of States and representatives of intergovernmental and non-governmental organizations mentioned in this report will be reproduced as Annex II to the final version of the present report. The Agenda, as adopted, and the list of participants appear in documents A/55/1 and A/55/INF/3, respectively.

#### ITEM 1 OF THE CONSOLIDATED AGENDA

##### OPENING OF THE SESSIONS

6. The fifty-fifth series of meetings of the Assemblies and other bodies of the Member States of WIPO was convened by the Director General of WIPO, Mr. Francis Gurry (hereinafter referred to as "the Director General").

7. The sessions of the Assemblies and other bodies of the Member States of WIPO were opened in a joint meeting of all the 20 Assemblies and other bodies concerned by Ambassador Päivi Kairamo (Ms.) (Finland), the outgoing Chair of the General Assembly, who made the following statement:

“Honorable Ministers, Excellencies, Director General, Heads of Delegations, Distinguished Delegates, Ladies and Gentlemen,

“It is my great honor and pleasure to warmly welcome you to Geneva, to the opening of the Fifty-Fifth Series of Meetings of the Assemblies of the Member States of the World Intellectual Property Organization.

“It has been my honor and privilege to have served as Chair of the WIPO General Assembly since September 2013. Looking back, it has been a very busy period. In that time, I have presided over four Assemblies, including two extraordinary Assemblies. In May 2014, the Assemblies elected the Director General, Francis Gurry, for a second term and I am very pleased to say that the process ran very smoothly and provided a good basis for the work of the Organization which has been carried on since that time.

“As I depart the Chair, it is apparent to me that there has been considerable progress in the Organization. Most notably, I am pleased to observe the sound financial situation of the Organization which has been achieved in a challenging global context. I believe this demonstrates the continuing strong demand for WIPO’s services and underscores the importance of our Organization, its services and activities, for the global economy, business and its Member States.

“At the same time, I would be remiss if I did not reflect on what has been the most significant concern during my tenure as Chair, and that is the bottleneck on the normative front which is so evident to us all. While it may not be a comfortable message, I believe it is important to emphasize that this is something which is the responsibility of us, the Member States. We must collectively recognize our shared interest in providing the guidance and direction to WIPO which it is our role and responsibility to provide. This is critical so that WIPO can continue to evolve and maintain its relevance in the fast-changing world, global economy and innovation landscape which characterizes our times.

“It is now my turn to thank a few colleagues. At the outset, I would like to place on record my appreciation and thanks to my two Vice-Chairs – Ambassador Khvostov of Belarus and Mr. Warida of Egypt.

“I would like to sincerely thank the Facilitators of the various processes that have been ongoing during my time as Chair: Ambassador Fook Seng of Singapore; Ambassador Fitschen of Germany; Mr. Marcelo Della Nina of Brazil; Mr. Ian Goss of Australia; Mr. Martin Moscoso of Peru; and Mr. Adil El Maliki of Morocco. They have truly strived to advance the various issues for which they had charge, some of which, as you know, have been quite challenging.

“I would also like to acknowledge the assistance which I have received from the Secretariat and, in particular, the Assemblies Affairs and Documentation Division. I have truly valued the Secretariat’s support and advice which provided me the time and space to focus on issues and substance. I could not leave without mentioning and extending my special thanks to Mr. Naresh Prasad the Chief of the Cabinet, whose assistance and presence next to me has been indispensable, I thank you very much

“Lastly, and obviously not least, I would like to once again congratulate the Director General on his re-election for his second term and to thank him, in particular, for his invaluable advice and support. I wish him every success for his continued successful stewardship of WIPO as he navigates the challenges ahead.

“In closing, I can see that Member States have a very full agenda ahead with some very important issues requiring resolution. I again implore Member States to demonstrate

the required determination and flexibility necessary to arrive at the consensus that is needed. I am confident that with this approach, we, the Member States, can provide the leadership that WIPO is looking to us to provide.

“On that note, I wish my successor every success. I thank you very much, all of you, in person and by delegation, for your support to me. And I now declare the 55<sup>th</sup> series of the meeting of the Assemblies open.”

## ITEM 2 OF THE CONSOLIDATED AGENDA

### ELECTION OF OFFICERS

8. Discussions were based on document A/55/INF/1 Rev.

9. Introducing Agenda Item 2 on the election of officers, the Legal Counsel said that there had been informal consultations with the Group Coordinators, and he was pleased to announce that there was agreement on the election of the following officers: the Chairs of the General Assembly, of the Madrid, Hague and PCT Union Assemblies, as well as the Vice-Chair of the Lisbon Union Assembly.

10. The Assemblies of the Member States elected Ambassador Gabriel Duque (Colombia) as Chair of the General Assembly. They also elected Mr. Miguel Ángel Margáin (Mexico) as the Chair of the Madrid Union Assembly, Ms. Sarnai Ganbayar (Mongolia) as the Chair of the Hague Union Assembly, Ms. Susanne Sivborg (Sweden) as the Chair of the Patent Cooperation Treaty (PCT) Union Assembly and Mr. Olivier Martin (France) as Vice Chair of the Lisbon Union Assembly, on October 5, 2015.

11. The newly elected Chair made the following statement:

“Honorable Ministers, Excellencies, Director General, Heads of Delegations, Distinguished Delegates, Ladies and Gentlemen.

“It is indeed a great honor and pleasure for me to chair this Fifty-Fifth Series of Meetings of the Assemblies of the Member States of the World Intellectual Property Organization.

“I would like, first of all, to wholeheartedly thank the whole Assembly for bestowing on us the trust and confidence of these offices of such high responsibility.

“We are committed to ensuring the smooth and efficient functioning of these Assemblies.

“I would also like to pay tribute to my predecessor the outgoing Chair, Ambassador Päivi Kairamo, as well as her two distinguished Vice-Chairs, who fulfilled these responsibilities over the past two years.

“The Assemblies that open today will review WIPO’s activities. Most importantly, they will set the path for WIPO’s future work, both for Member States in the subsidiary bodies and for the Secretariat. In this wise, as is the case every two years, a new Chair has before him or her the approval of a new Program and Budget for the Organization’s activities over the coming biennium.

“We have in front of us a rather busy agenda and hard work over the coming days. Our time is limited and the issues to cover are numerous and varied.

“I am sure that I can count on each and all of you to facilitate my work as we search for consensus and agreement.

“I would like to invite and encourage all Delegations to work in a constructive and open spirit and to show flexibility when required.

“For my part, I plan to start all sessions on time, the morning session at 10 a.m. and the afternoon session at 3 p.m. I also promise to try to finish on time.

“As we saw, during the coming days many Delegations will be organizing most interesting side-events related to the world of intellectual property. I would like to encourage you to use your time wisely and benefit from these unique experiences.

“The WIPO Assemblies are also the time of the year to meet with colleagues from around the world. I hope that these Assemblies also provide you with the chance to benefit from the exchange of views with colleagues and to strengthen personal relations.

“Excellencies, Distinguished Delegates, Ladies and Gentlemen,

“You will hear a lot from me during the next days so I would now like to conclude these brief opening remarks. I thank you again for electing me to this high position and I commit myself to meeting the responsibilities of this position with energy and dedication. Thank you very much.”

12. Following further informal consultations, the Assemblies of the Member States elected Mr. Vladimir Yossifov (Bulgaria) as Chair of the Lisbon Union Assembly on October 6, 2015, and Mr. Ľuboš Knoth (Slovakia) as Chair of the Assembly of the Singapore Treaty on the Law of Trademarks on October 8, 2015.

13. Reverting to Agenda item 2, on October 9, 2015, the Legal Counsel announced that the Group Coordinators had reached agreement in respect of all the other bodies and assemblies of WIPO Treaties, with the exception of the Conference. He said that the Secretariat had received proposed officers to be elected for the Coordination Committee and all the other 20 governing bodies, except the Conference. He pointed out that the names of those who had already been elected, as well as those who were proposed to be elected to the other bodies were contained in the informal document, which had just been issued to all delegates. He observed that it was a rather lengthy list of names, but since all the Delegations had it in front of them, he assumed there was no need to read out the names, but was happy to do so, in case there was need.

14. Before gavelling the decision, the Chair observed that it was a very good compromise, and thanked again the delegations for showing their flexibility which enabled them, at that stage, to move forward with the agenda. As there was no objection to this list of the proposed officers, he gavelled the decision and added that it was very good that they now had Ambassador François Xavier Ngarambé (Rwanda), who would be chairing the Coordination Committee.

15. The newly elected Chair of the Coordination Committee made the following statement:

“Thank you very much Mr Chairman. Allow me to express my appreciation to the African Group, and to all members of this Organization, for the confidence reposed in me by my election as Chair of the Coordination Committee.

“I take this opportunity to also say that this responsibility will be taken very seriously and I fully appreciate the important work to be done in the Coordination Committee. I trust that I can count on your support as I give my best to fulfilling the responsibilities you have



entrusted to me. I will have the opportunity to address you further. At this point, please accept my appreciation, thank you very much.”

16. The Chair of the General Assembly welcomed the new Coordination Committee Chair to his new position. He said that they had been waiting that announcement for quite some time and was quite sure they were in very good hands for handling the complicated issues that the Coordination Committee would be discussing. He thanked Ambassador Ngarambé for contributing to the system by volunteering to chair that committee, and gave the floor to the Delegation of Nigeria.

17. The Delegation of Nigeria, speaking on behalf of the African Group, wished to extend its congratulations to Ambassador Ngarambé, and to express its appreciation as well to all the Regional Coordinators and Regional Groups who supported its candidature for the job. The Delegation believed that Ambassador Ngarambé’s expertise and professionalism would guide the work of the Coordination Committee very well, and it hoped that its Group could count on everyone’s support.

18. Following the final informal consultations among Group Coordinators, the list of officers for the Assemblies and other bodies that appear in document A/55/INF/4, were elected on October 9, 2015.

### ITEM 3 OF THE CONSOLIDATED AGENDA

#### ADOPTION OF THE AGENDA

19. Discussions were based on documents A/55/1, A/55/10 and A/55/12.

20. After due consideration, each of the Assemblies and other bodies concerned adopted its agenda as proposed in document A/55/1 (hereinafter referred to in this document and in the documents listed in paragraph 2 above as “the Consolidated Agenda”), on the understanding that, as recommended by the PBC, the “fee-funded” Unions (that is, Agenda Items 19 to 22) convene before the discussion on the proposed Program and Budget 2016/17 (that is, Agenda Item 11).

### ITEM 4 OF THE CONSOLIDATED AGENDA

#### DIRECTOR GENERAL’S REPORT

21. The Director General’s Speech is recorded as follows:

“Your Excellency Ambassador Gabriel Duque, Chair, WIPO General Assembly,  
Honorable Ministers,  
Your Excellencies the Permanent Representatives and Ambassadors,  
Distinguished Delegates,

“It is a great pleasure for me to join the Chair of the WIPO General Assembly in extending a warm welcome to all delegations to the 2015 Assemblies. I thank you all for your participation. Over 1,000 delegates have registered for the Assemblies and we have, in addition to a very full agenda, an extensive program of cultural and other events hosted by Member States, a very good sign of the active support for, and constructive engagement in, the Organization on the part of Member States.

“I would like to thank the outgoing Chair of the General Assembly, Ambassador Kairamo of Finland, for her support and guidance over the past two years. I congratulate Ambassador Duque on his election as the new Chair. My colleagues and I look forward very much to working with him over the next two years. I thank him also for the energy and skill that he has devoted to the task of chairing the Organization’s Program and Budget Committee. I would like to take this opportunity to thank also all the chairs of the various other WIPO bodies and committees for the very considerable time and effort that they have devoted to advancing the work of the Organization.

“There has been great progress and a number of positive developments in many areas of the work of the Organization in the course of the past 12 months. This is all set out in detail in my Report, which will be available immediately, outside the conference hall. I will refer now only to some of the highlights of that work and to some of the main trends in the context in which the Organization is operating.

“The Organization continues to enjoy a sound and, even, fortunate financial condition. We completed the first year of the current 2014-2015 biennium with an overall surplus of 37 million Swiss francs. We are now 75% of the way through the second year of the biennium and the results indicate that we may expect to achieve a good overall surplus for the whole biennium.

“The healthy financial state of the Organization is a consequence primarily of the rising interest in, and demand for, intellectual property, as knowledge, technology and creative works move to the center of the contemporary economy and as governments respond by orienting economic strategies to innovation and creativity. Intellectual property is a necessary, although not sufficient, component of successful innovation ecosystems and thriving environments for the creative industries.

“This major trend towards the increased value of intangibles and intellectual capital is driving our Global IP Systems - the Patent Cooperation Treaty (PCT), the Madrid System for marks and the Hague System for designs - which are the source of 95% of the revenue of the Organization, and under which we expect to receive this year some 220,000 international patent applications, 50,000 international trademark applications and a much smaller, but rapidly growing, number of international design applications.

“The geographical participation in these Systems continues to evolve in line with more general economic trends. Asia now is the major origin of international patent applications, accounting for around 40% of the total, as against 30% for North America and 27 % for Europe. As administrators of these Systems, we are focused on the quality of services that we provide under them both to national and regional IP Offices and to users; on enhancing the efficiency and friendliness of their electronic environments; and on improving productivity. I am pleased to be able to recall that we have managed to maintain both staff and fees at a constant level for seven years now, despite significantly increased workloads.

“I would like to draw attention to the many important advances that we have made in the soft infrastructure that underlies the operation of the IP system worldwide – our global databases and information technology (IT) platforms, systems and tools. This is not a glamorous area, but I mention it for two reasons in particular.

“In the first place, it may be noted that the various platforms that the Organization is providing are increasingly forming part of a single global IP infrastructure platform that will, in the coming years, become more integrated. It will serve the interests of governments, users and the interested public alike by increasing efficiency, cost-

effectiveness and transparency, as well as by enhancing the quality of outcomes in the operation of the IP system worldwide.

“Secondly, many of these platforms and systems represent a very good example of the implementation of the goal of the Development Agenda of mainstreaming development in the work of the Organization. Much of this work is oriented to the inclusion of the developing countries and to building their capacity to use and to participate in the IP system. The work is also performed outside our Development Sector in the formal or strict sense. Our IP Office Administration System (IPAS) is a good example. It supports the processing of IP applications in some 70 IP Offices, the overwhelming majority of which are developing countries. It provides connectivity into a variety of global facilities. We believe that our new project in the area of the collective management of copyright, WIPO Connect, will do the same thing in providing opportunities for the distribution of creative works of developing countries globally.

“A number of important initiatives are also bearing fruit in public-private partnerships. I would like to mention, in particular, WIPO Re:Search, which exists for sharing intellectual property and unpublished scientific data, and for capacity building, in order to advance drug discovery in the areas of neglected tropical diseases, malaria and tuberculosis. WIPO Re:Search has 94 members from developed and developing countries and has produced 89 collaborations among them. We also have several important partnerships with publishers. Access to Research for Development and Innovation (ARDI) offers free or affordable access to scientific and technical journals in LDCs and developing countries. The number of users has grown from 300 to 500 institutions from 72 countries, which have access to 20,000 journals, books and reference works. It is a member of the United Nations public-private partnership “Research for Life”. Similarly, the Access to Specialized Patent Information (ASPI) partnership provides users in LDCs and developing countries with access to commercial patent databases. Lastly, let me mention the Accessible Books Consortium (ABC), which has made great progress in providing a practical vehicle for implementing the objectives of the Marrakesh Treaty. In its first year of operation, ABC’s Book Service has facilitated the lending of accessible books to 31,000 persons who are print disabled, and has achieved a number of other significant milestones. In each of these public-private partnerships, the private sector is making available or donating intellectual and financial assets. In each, the major beneficiary is persons and institutions in developing countries. Again, the partnerships are good examples of the mainstreaming of development and have been developed and are managed in parts of the Organization outside our formal development sector.

“The emphasis that we place on our infrastructure platforms and systems and on the successes of our public-private partnerships may sometimes be interpreted as a desire or attempt to reduce the importance of the Organization’s normative program or to replace it with practical projects. I believe that this would be an inaccurate interpretation. By emphasizing these areas, I wish simply to draw attention to the fact that, in an interconnected world, international cooperation can take many forms. IP platforms, other soft infrastructure projects and public-private partnerships offer enormous possibilities for cooperation in a world in which over three billion people are connected, especially in our area of intangibles, whether knowledge, technology or creative works. There is much that we can learn from the private sector exploitation of the potential of the interconnected world which has seen, for example, Facebook having over one billion users, or over 500 million persons actively using Baidu.

“That said, there is, and always will be, a place for treaties and other normative cooperation. It provides, after all, the framework within which both the private and the public sectors are able to operate. But we must also face the fact that the normative area is the most challenging one and the one in which the Organization has the greatest

difficulty in moving forward. The lack of capacity to agree is often lamented here in Geneva and elsewhere around the world. There are many explanations for it, but in our area of intellectual property, three, in particular, are prominent.

“The first is a consequence of the increased value of intangibles and intellectual capital in the economy that I mentioned at the outset. At the same time as this increased value is driving demand for our Global IP Systems, it is also making innovation the focus of competition between enterprises, industries and economies. Naturally, it is harder to come to agreement on intellectual property in this context than it was in a world ruled by physical resources and capital.

“A second explanation is the enormous asymmetries in the distribution of knowledge and technology across the world and in the capacity to generate innovation. This has always existed, but it is accentuated in a world in which knowledge, technology and innovation capacity have become central resources.

“The increased value of intellectual capital and its centrality to competition also means that economies that do wish to trade in intangibles and to advance their competitive advantage in the area are impatient to put in place the regulatory regimes that will facilitate this. Thus, we see very active agendas in the field of intellectual property at the bilateral, regional and plurilateral levels in a way that did not exist 20 or 30 years ago. This more complex architecture tends, naturally, to suck some of the oxygen out of the multilateral space.

“I believe that these developments require us to think more carefully about, and to identify with greater intelligence, what can and should be done at the multilateral level. Clearly, not everything can be done multilaterally, but clearly some things need to be, or should be, done multilaterally.

“The immediate challenge before the Member States is the agenda of these Assemblies, where there are some real differences over a number of items. To the extent that Member States are able to agree on these issues, which will require a real effort and some compromise in initial positions, the Organization will be in a fitter and better condition to engage on the larger question of identifying a future agenda that embraces some of the realities that underlie the difficulties that the Organization confronts in moving forward on the normative agenda.

“In concluding, I would like to return to the positive note of the progress made over the past 12 months and to pay tribute to the role that the Senior Management Team and the staff of WIPO have played in supporting and advancing that progress. I believe that we have a talented and dedicated staff at WIPO and I would like to express my gratitude to them for their excellent work.”

22. The Director General's Report is reproduced as an Annex to this present report.

## ITEM 5 OF THE CONSOLIDATED AGENDA

### GENERAL STATEMENTS

23. The Delegations and Representatives of the following 118 States, 5 intergovernmental organizations, and 3 non-governmental organizations made statements concerning Agenda Item 5: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Chile, China,

Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, Equatorial Guinea, El Salvador, Ethiopia, France, Gambia, Georgia, Germany, Ghana, Guatemala, Guinea, Guinea Bissau, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mexico, Mongolia, Montenegro, Morocco, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, South Africa, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Zambia, Zimbabwe, African Union (AU), African Intellectual Property Organization (OAPI), African Regional Intellectual Property Organization (ARIPO), League of Arab States (LAS), South Centre (SC), Innovation Insights, International Publishers Association (IPA) and Third World Network (TWN).

24. The speakers congratulated the Chair on his election to office. They also thanked the Director General for all his work and untiring efforts in the cause of IP, together with the Secretariat for the excellent documents prepared for the Assemblies meetings.

25. The Delegation of Brazil, speaking on behalf of the Group of Latin American and Caribbean Countries (GRULAC), stressed that the normative agenda and administrative and structural issues were the matters of priority and urgency for both GRULAC and the membership as a whole. GRULAC's priorities were a renewed Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) mandate, a new work program for the Standing Committee on Copyright and Related Rights (SCCR), strengthened commitment to the Committee on Development and Intellectual Property (CDIP) matters and a more equitable geographical representation. It was concerned by, and called on members to tackle, the series of outstanding issues, such as approval of the draft Program and Budget 2016-2017, external offices and the convening of a diplomatic conference on the Design Law Treaty (DLT). GRULAC was of the view that IGC was central to the normative agenda and it was committed to negotiating and agreeing upon the text(s) of an international legal instrument to protect genetic resources (GRs), traditional knowledge (TK) and folklore. It had strong interests in the area, which had been under discussion at WIPO for 15 years, had proposed a renewed IGC mandate, and awaited consultations. It was also committed to reaching an agreement on the SCCR's future work in the areas of limitations and exceptions for libraries and archives, limitations and exceptions for educational and research institutions, and broadcasting with a view to adopting a balanced work plan. Consequently, Members were urged to approve a work plan with a meeting schedule for the adoption of an appropriate legal instrument on limitations and exceptions for libraries and archives. GRULAC wished to continue discussing the protection of broadcasting organizations. On CDIP, stress was placed on the need for intellectual property (IP) to become a tool for social, economic and cultural development of all WIPO Member States, and accordingly GRULAC supported new activities related to WIPO's role in the implementation of the recently approved Sustainable Development Goals (SDGs) of the United Nations (UN). The Delegation stressed the importance of the independent review of the implementation of the Development Agenda (DA) in light of the wish to renew WIPO's efforts to make the IP system more balanced and inclusive. It called for compromise on the draft Program and Budget 2016-2017, and, given the increased flexibility observed at the last two PBC sessions on a number of issues, GRULAC wished to contribute to discussions leading to its approval. The Delegation expressed its willingness to reach consensus on WIPO external offices and confirmed the need to adopt guiding principles at the outset, reiterating the region's interest in hosting a second external office. As there was a need for balanced geographical representation among WIPO personnel, the Delegation expressed its commitment to discuss the issue in the Coordination Committee with a view to

beginning a process that would lead to broader representation of the membership. It was of the view that the WIPO Academy played an important role in the region, especially in the area of capacity building, and went on to express its interest in continuing development-oriented activities in GRULAC countries. WIPO and its Member States had three main tasks with regard to the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled (MVT/Marrakesh VIP Treaty): promoting the earliest possible entry into force, ensuring the technical assistance and human and financial resources required for implementation, and facilitating international cooperation to ensure efficient cross-border exchange of works in accessible formats, thus guaranteeing the IP system and WIPO can improve access to knowledge for print-disabled persons. The Treaty's adoption rate was high in the region, accounting for five of the ten ratifications. GRULAC was fully committed to the prompt entry into force of the Treaty and the Delegation urged other members and groups to adopt the same spirit.

26. The Delegation of India, speaking on behalf of the Asia and Pacific Group, attached prime importance to IP in light of its important contribution to socio-economic growth and technological development. The Delegation underscored the goal of seeking an optimal balance in IP, protecting the rights of innovators and meeting the needs of individuals and groups in society. The Delegation noted that the Patent Cooperation Treaty (PCT) Review had shown a progressive, regional increase in PCT filings in recent years, and welcomed the fact that WIPO Member States and the Secretariat had begun to enhance the development orientation of WIPO's work. CDIP had now become an important WIPO Committee given its rigorous commitment to implementing the 45 DA recommendations. The Delegation was therefore of the view that all relevant WIPO bodies should incorporate the DA recommendations into their activities. It was also of the view that intellectual property rights (IPRs) needed to be viewed in the context of development to ensure IP regimes were country specific and thus to foster holistic and socio-economic growth and sustainable development. The Delegation believed that the Asian and Pacific region could emerge as a new fountainhead of innovation and creative energy. It expressed satisfaction at WIPO's sound financial status at the end of 2014, took note of the report submitted by WIPO's Independent Advisory Oversight Committee (IAOC) and acknowledged the important role it played in assisting Member States to undertake their governance responsibilities with respect to WIPO's operations. Noting the substantive observations and recommendations of the external auditor concerning the financial year 2014 and the delivery of various program and activities by WIPO management, it thanked the external auditor for its continuous, meticulous work and useful suggestions. The Delegation also welcomed the conclusion of the long negotiations that had culminated in a revised definition of "development expenditure". Governance at WIPO was important to the Asia and Pacific Group, and it believed that an arrangement for governance issues required the mutual trust of Member States. Although some of its members had already expressed an interest in opening an external office in their respective countries, it emphasized that the first step was to finalize the guiding principles in an inclusive and transparent manner and only then to decide objectively on the number of new offices based on those principles. On the normative agenda, some progress had been made on the texts on GRs, TK, and traditional cultural expressions (TCEs), and it was hoped that progress would be achieved on all texts allowing the prompt convening of a diplomatic conference. The initiative of the Facilitator, Mr. Goss, found the Delegation's support with a view to finalizing the text of an international instrument for effective protection of GR, TK, and TCEs. In light of the adoption of the Marrakesh Treaty, the Delegation looked forward to discussions on limitations and exceptions for educational, teaching and research institutions, for persons with other disabilities, and for libraries and archives. Welcomed progress made on the Broadcasting Treaty giving hope for conclusive negotiations based on the 2007 General Assembly mandate for the protection of broadcasting organizations on a signal-based approach in the traditional sense. Despite the headway in draft DLT negotiations, further work was still needed on the draft articles and the provision of technical assistance and capacity building. The Delegation expressed its readiness to engage in this constructively.

27. The Delegation of Japan, speaking on behalf of Group B, noted that the significant progress and results achieved by WIPO in recent years, in particular in relation to work concerning global IP services, were undisputed. The steady growth of applications and the expansion of membership could not be achieved without proper responses to the evolving demands of the real world. WIPO was also making a significant contribution to the sharing and dissemination of IP information through its work relating to global IP infrastructure. The contribution to the society of the invention to be patented did not consist only of the invention as such, but also of the provision of technical information related to that invention. In this regard, global IP services and global IP infrastructure were like the two wheels of a cart and their importance could not be overemphasized. Turning to technical assistance, one of the important areas of WIPO activity, the Delegation noted that Group B was continually impressed with the abundance and variety of programs provided by WIPO, which contributed to development through the exploitation of IP. The Group also recognized challenges in norm-setting activities and was committed to constructive engagement in that regard. Congratulations were owed to WIPO on its achievements as a whole and the Group hoped that WIPO would continue to respond to real-world expectations. For the purposes of achieving the objective of the Organization as prescribed in the WIPO Convention, it was important to have a shared understanding of how the Organization was working and how it should function. In that regard, the uniqueness, importance and character of WIPO should be borne in mind. While WIPO had to fulfil its responsibility as a member of the UN family, this responsibility had to be consistent with the principles founding the objective of the Organization, namely, the promotion of protection of IP. At the same time, the Organization had to remain in touch with the real world, which was formed by innovators, creators, users of the IP system and IP information, etc. Group B strongly believed that WIPO and its Member States should continue their work based upon this shared understanding, through which they could fulfil their responsibility as members of the global community. Coming to the agenda for the 2015 session of the General Assembly, it was obvious that the approval of the Program and Budget 2016-2017 was a pressing issue. It was important to reach consensus on an approved Program and Budget at the 2015 session to ensure the sound operation of the Organization. Group B underlined that no Member State should entertain the prospect of extraordinary sessions and that the current session was the only chance remaining for Member States to approve the Program and Budget for the following biennium. With respect to WIPO External Offices, the budgetary aspects had already been reasonably and logically resolved in the extant draft Program and Budget. Therefore, the matter of external offices should not arise in the context of the Program and Budget. As such, the way forward on that matter could be dealt with separately from the Program and Budget 2016-2017. Concerning the normative agenda, Group B looked forward to the convening of a diplomatic conference for the adoption of the DLT. It was most regrettable that considerations other than substance under the objective of the possible treaty had long continued to prevent users from benefiting from formality simplification of the industrial design system. No one had been opposed to a diplomatic conference in 2013. It was advisable to move on from that point at the current General Assembly. With regard to the IGC, Group B believed that the agreed way forward on that matter needed to be reasonable and balanced, reflecting the wide divergence of views, not only on the process, but also on the fundamental, substantive points. It was necessary to envisage a new framework for discussion which could bring Member States closer. Group B recognized the importance of the facilitation process and was committed to constructive engagement. Additionally, Group B expressed its gratitude for the cooperation of the IAOC, the Internal Oversight Division (IOD) and the external auditor on audit activities, whose reports were presented to the General Assembly. A properly functioning oversight mechanism was essential to maintain the sound operation of the Organization. Group B expected their further contribution to that effect within their mandate. Last but not least, Group B expected that the deliberation under agenda items relating to global IP services would be carried out in a manner that improved those systems and responded to the evolving demands of users. The Chair could rest assured of the constructive contributions from the delegations of Group B, as well as its full support during the 2015 Assemblies.

28. The Delegation of Nigeria, speaking on behalf of the African Group, expressed its appreciation to the Secretariat for the efforts made towards achieving the goals and objectives of the Organization and encouraged its steadfast commitment to this ideal. It noted that these Assemblies were another opportunity for stocktaking and decision-making on subjects that had a significant impact on the effectiveness, responsibilities and objectives of the Organization, and hoped that this session could mark a turning point from the recent past history of WIPO meetings. The issues on the agenda were crucial to the advancement of the common good and development of all countries. Consequently, the African Group was optimistic that all delegations would make every endeavor to ensure a successful outcome. It was a priority to the African Group to resume text-based negotiations on GRs, TK and TCEs, with a view to adopting an international legally binding instrument that would ensure the effective protection of GRs, TKs and TCs. The lack of political will to take the necessary steps towards addressing the misappropriation and commercialization of the primordial and natural resources of local and indigenous communities was regrettable. Having given careful consideration to the status of negotiations within the IGC and some of the avoidable elements that hamper consistent and unencumbered progress in the negotiations, the African Group had submitted a proposal, namely document WO/GA/47/16, for the conversion of the IGC into a standing committee. The proposal was premised on the firm belief that such a change would speed up the negotiations and, above all, focus the commitment of Member States on the substantive text-based work, while giving countries the requisite time and space for much-needed reflection and consultation with a view to building a common understanding, mutual trust and ultimately a shared basis for a multilateral framework. Another priority for the African Group was the establishment of external offices in Africa. Africa was the only unrepresented continent within this dynamic, even though WIPO External Offices were an integral part of the Organization's delivery of its strategic goals, including facilitating the use of IP for development. Document A/55/INF/6 prepared by the Secretariat, clearly illustrated the value added by external offices and their configuration in addressing various national needs in line with the different levels of development of WIPO Member States. Considering that existing external offices were established in response to global realities over the last ten years, Africa's absence within the WIPO network was quite conspicuous. This was all the more curious because the existing external offices were established during a period of global discourse on development and balanced access to economic, technological and socio-cultural enablers for developing countries and least developing countries (LDCs), and considering that WIPO's DA recommendations were adopted in 2007. Consequently, the General Assembly should approve the establishment of two external offices in Africa, within the 2016-2017 biennium. This would facilitate WIPO's technical assistance and capacity building activities on the continent, enhance the efficiency and effectiveness of its services to Africa, raise IP awareness, enable a wider dissemination of IP assets on the continent, and crucially, facilitate the use of IP for development in the continent. It was common knowledge that Africa was content-rich but challenged by capacity gaps in the development and commercialization of its content. Consequently, establishing external offices in Africa would be a strategic investment for both WIPO and Member States. The African Group acknowledged the importance of predictable frameworks for the establishment of external offices but remained concerned that negotiation of the guiding principles for the establishment of external offices risked becoming bogged down by competing interests and the inclusion of provisions that had disconcerting effects on negotiations. The African Group also welcomed some positive developments in WIPO negotiations this year, especially finalization of the definition of development expenditure in the context of the WIPO budget. This development would lead to better financial estimation and operational implementation of development activities by WIPO. The Group also welcomed agreement on a more results-oriented work agenda within the Standing Committee on Patent Law (SCP), though that committee continues to be bogged down by resistance to good faith discussions on reorientation of the patent system to make it more responsive to the needs of developing countries and LDCs. However, there was still lack of consensus on several issues such as governance in WIPO, inclusion of the acknowledgement and protection of traditional forms of knowledge and asset bases in the DLT, commitment to text-based work to facilitate access to information and knowledge in the SCCR,



WIPO's engagement in the area of technology transfer, and implementation of the CDIP mandates and coordination mechanism. The Delegation also underscored the measurability of impact and effectiveness as definitive aspects of WIPO's implementation of DA recommendations. In this regard, the African Group welcomed the commencement of the process for independent review of the implementation of DA recommendations and looked forward to the outcome of that exercise.

29. The Delegation of Belarus, speaking on behalf of the Group of Central Asian, Caucasus and Eastern European Countries (CACEEC), said that it welcomed the opening of the Fifty-Fifth Series of Meetings of the Assemblies of the Member States of WIPO and congratulated the Chair and Vice-Chairs on their election; their involvement would allow substantial progress to be made in the discussion of important items on the agenda. While the Group continued to support WIPO's efforts to expand or build the capacity of national IP institutions, it believed that the Organization should take a balanced approach, including by responding to the needs and requirements of transitional economies. The Group hoped that WIPO would provide increased technical assistance to its members. It noted with regret that the region was still underrepresented in the Secretariat in proportion to its share of WIPO membership and emphasized the need for balanced representation of the regions. It supported the work of the SCCR and, in particular, the Committee's advocacy for more intensive work on the draft treaty for the protection of broadcasting organizations so that a decision to convene a diplomatic conference for its adoption could be taken in the near future. There had been significant progress on the draft treaty and with additional work, it could soon be made ready for such a conference. The Group was convinced that making SCCR agenda items interdependent would slow down the Committee's work. It also considered that the system for protecting the rights of broadcasting organizations needed to take 21<sup>st</sup> technological innovations into account and permit adaptation to the current and future operating models and types of activity of terrestrial and cable broadcasting organizations. It attached great importance to the work of the SCP, viewing it as an important forum for discussing issues relating to the substance of patent law. It emphasized the value of the Committee's discussions on the quality of patents and hoped that consideration of that issue would ultimately help to build a more effective and balanced patent system at the national and international levels. In the Group's opinion, discussions in the SCP on research regarding inventive steps and sufficiency of disclosure facilitated the exchange of experience and opinions on those important components of the patent quality system. The Group also appreciated the Committee's substantial efforts to study the issues of patents and healthcare, exceptions to and limitations on patent rights, technology transfer and confidentiality of the legal relationship between clients and patent advisors; such issues were essential addressing certain social problems. It was important to finalize the draft industrial design treaty since its simplification and harmonization of registration procedures would be beneficial to businesses throughout the world. The Group reiterated the need to overcome disagreements on matters of principle, including those relating to provisions on technical assistance, as quickly as possible with a view to holding a diplomatic conference culminating in adoption of the draft treaty in the near future. It hoped that Member States would be able to reach a compromise on the draft Program and Budget 2016-2017 and that no extraneous issues would jeopardize its adoption. The Group viewed the approval of a definition of "development expenditure" for budget purposes as a positive step and a landmark in the Organization's work that demonstrated the ability of countries with differing levels of development and interests to find a compromise. It hoped that the work of the Assemblies would be fruitful.

30. The Delegation of Romania, speaking on behalf of the Group of Central European and Baltic States (CEBS), commended the Secretariat on the Organization's healthy financial situation, which reflected not only sustained demand for IP services but also careful management. The adoption of the draft Program and Budget 2016-2017 was a matter of priority and the Group supported enhanced transparency, which would give Member States a better understanding of the crucial issues reflected therein. It continued to support the unitary contribution system on which the program and budget document was based and was opposed

to any measures that could jeopardize the existing methodology for allocating income and expenditure and the established rules and practice regarding participation in diplomatic conferences. As most of the disputed issues had been resolved during within the framework of the PBC, it was to be hoped that the draft Program and Budget 2016-2017 could be adopted by consensus. The Group wished to thank the Secretariat for the support provided to countries in the region, including their universities and small and medium-sized enterprises (SMEs), through various programs and believed that WIPO should continue to play its distinctive role of setting the international IP framework and providing users around the world with tools allowing them to reap the benefits of IP protection. Because the Organization's mission was to promote innovation and creativity through IP, its agenda should respond both to changes in the field and to the corresponding needs of Member States. In that respect, the Group welcomed the ongoing implementation of the global registration system for marks and congratulated the Secretariat on the results achieved in recent years. It was convinced that the inclusion of more Member States would lead to a more robust global IP system with greater benefits for users. It also supported the designation of the Visegrad Patent Institute (VPI) as an international searching and preliminary examining authority under the PCT. The recent adoption of the Geneva Act of the Lisbon Agreement was an outstanding achievement as the Act clarified that all categories of geographical indication could be registered and protected and allowed intergovernmental organizations to join the Lisbon System. The negotiations leading to its adoption had allowed all interested parties to present their positions in full compliance with the law of treaties. The Act was certain to attract more countries to the Lisbon System by highlighting its importance. The Group was also keen to conclude the normative work on other outstanding topics. The draft DLT would simplify the formalities for obtaining design protection and improve access to such protection for applicants around the world, particularly SMEs, while the draft treaty on the protection of broadcasting organizations would fill a vacuum in the international IP framework; it was to be hoped that its provisions would be tailored to twenty-first century technological realities. A constructive approach by all parties was needed in order to secure the adoption of the two draft treaties during the next biennium. While harmonization of IP rights legislation, including in the field of patents, remained a major objective of the Group, it also valued the exchange of views and national experience. It remained committed to a balanced agenda for the SCP, attached great importance to the ACE and reiterated its commitment to combating counterfeiting and piracy. Consensus also needed to be built on a number of substantive issues relating to the relationship between IP and genetic research, TK and folklore. Lastly, it welcomed Georgia as a new member and was confident that the State's Delegation would make a valuable contribution to the CEBS Group and to the work of the Organization.

31. The Delegation of China expressed its deep appreciation of the work and further achievements of the Director General and the Secretariat. It took the opportunity to outline the country's latest development in the IP area in the previous year by highlighting that the Government of China had issued an Action Plan for Further Implementing the National Intellectual Property Strategy, which set out the new goal of building China into a country strong in IP. China had also worked vigorously to promote the revision and improvement of the Patent Law and the Copyright Law in order to enhance IP protection, to allow the newly established IP courts to exert effective roles, as well as to further strengthen the administrative enforcement of IP. The Delegation continued to elaborate on the sound momentum of growth in IP applications and reported that for the first eight months of 2015, China had received 609,000 patent applications, 19,000 PCT applications, and 1,868,000 trademark registration applications, representing an increase of 21.8 per cent, 20.4 per cent and 30.2 per cent respectively over the same period last year. The Delegation further reported that the number of copyright registrations reached 1,211,000 in 2014, which was 19.97 per cent higher than that in 2013. Last year had also witnessed continuous in-depth cooperation between China and WIPO, whose concerted efforts had ensured the efficient operation of the WIPO Office in China, which received positive comments from the Delegation. With regard to the relevant issues under the framework of WIPO, the Delegation shared the following observations. First, the irreplaceable

role of WIPO in international IP norm-setting should be sustained and enhanced to render the norms more balanced, inclusive and beneficial to all. An example to illustrate that would be the permanence of the mandate of the IGC, so as to move the dialogue in this area forward. Second, the global IP services provided by the Organization should be further improved and expanded so as to promote the development of PCT, Madrid and Hague Systems as well as that of the IP databases, making them more efficient with higher quality. Third, the Delegation called for full attention to the concerns of the developing countries over development dimensions in the IP area, and urged the further implementation of the DA recommendations. The Delegation stated that, for that purpose, the Government of China had for two consecutive years made voluntary contributions within its capacity to WIPO to provide capacity building support and technical assistance to the developing countries. The Delegation noted that the year 2015 marked the 70<sup>th</sup> anniversary of the UN and that the Post-2015 DA, prescribing a new vision for global development, had been adopted at the UN Sustainable Development Summit. The Delegation reaffirmed its commitment to supporting the work of WIPO to tap the critical potential of IP in promoting common development. As regards the Hong Kong Special Administrative Region (Hong Kong SAR) of China, the Delegation reported that 2015 had been a busy year in the IP field. The Working Group on Intellectual Property Trading published in March its report with 28 recommended measures which would shade the theme of the further development in promoting IP rights and trading. The Delegation stated that it was important for all businesses to properly maintain and develop their IP portfolios in a globalized economy. SMEs, though accounting for over 98 per cent of the total business units in the Hong Kong SAR, were generally less equipped in that respect. The Delegation had therefore made dedicated efforts to enhance SMEs' capability in handling IP-related issues. Training courses targeting SMEs had been organized, and a free One-On-One IP Consultation Service had also been launched to help SMEs manage and utilize their IP rights more effectively. The Delegation concluded by expressing its wish to share its experiences in that respect with the representatives of other Member States.

32. The Delegation of Luxembourg, speaking on behalf of the European Union and its member states, expressed its appreciation to the Secretariat for hosting the successful diplomatic conference for the adoption of the new Act to the Lisbon Agreement in May 2015. The Conference had been conducted in a transparent and inclusive manner; all Member States had been able to play an active role and participate in the discussions and many of their suggestions had been reflected in the final compromise text. The Delegation reiterated its commitment to the work of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT), particularly with regard to the draft DLT as the European Union and its member states attached great importance to the harmonization and simplification of design registrations, formalities and procedures. The important provisions of the draft treaty had been identified at the 2014 Assemblies and the Delegation was strongly in favor of convening a diplomatic conference on the basis of the March 2014 text with a view to the adoption of a treaty in 2016. It acknowledged the need to provide technical assistance and capacity-building to the developing countries and LDCs so that the new treaty could be successfully implemented; technical assistance was the only pending issue and the Delegation stood ready to discuss it. It could not, however, support the proposal to include a substantive requirement—for disclosure—in the draft treaty because the proposal was unrelated to the goal of simplifying and harmonizing existing design formalities and procedures. The Delegation was pleased that the SCP had agreed on its future work program at its 22<sup>nd</sup> session. With respect to the work of the SCCR, it reiterated its commitment to moving towards the conclusion of a treaty on the protection of broadcasting organizations and called for a roadmap leading to the convening of a diplomatic conference for that purpose during the 2016-2017 biennium. It recognized the importance of the work carried out by the IGC and considered that the two seminars organized during the past year in order to discuss experience and practice in the relevant areas had been extremely useful. The “gap year” had allowed Member States to take stock of the situation; it was time to draw the appropriate conclusions regarding the inability of the IGC to reach an agreement within the current framework and parameters and to consider

alternatives for work on the topic. The Delegation stood ready to discuss alternative proposals that would yield a more realistic outcome. Lastly, it wished to reaffirm its support for and commitment to appropriate implementation of the recommendations made in the context of the ongoing work on the Organization's DA.

33. The Delegation of Benin, speaking on behalf of the Group of the Least Developed Countries (LDCs), congratulated the Chair and the other officers on their election and reiterated its gratitude to Ambassador Kairamo for her important contribution to the work of WIPO as Chair of the General Assembly. Calling on each delegation to display a constructive spirit, the Delegation said that, as a result of rapid technical progress and liberalization, the global economy was undergoing a number of changes that entailed not only new technologies, but also new management techniques; different types of relations between enterprises, industry and science; and an ongoing increase in the flow of information between economic actors. While those changes were largely a product of the industrialized countries, the developing countries and LDCs were also affected as players in the global economy. With the midterm review of implementation of the Istanbul Programme of Action for the Least Developed Countries for the Decade 2011-2020 only a few months away, it was important to emphasize that, since its establishment in 2011, ARIPO had provided significant support to the LDCs in their efforts to implement the Programme of Action. The effective, active participation of WIPO in the Ministerial Meetings on the LDCs held in Cotonou in July 2014 and, quite recently, in Milan was noteworthy. The development needs of the LDCs required close cooperation in strengthening the IP systems and institutions of each developing country. The Group was pleased to note that, over the years, particular attention had been paid to WIPO's program of cooperation with the LDCs, thereby facilitating capacity-building and innovation with a focus on development. In that connection, the Group thanked the Director General for his vision and commitment to supporting the LDCs. It welcomed the coordination between the needs of those countries and the areas of WIPO cooperation, which ensured the relevance of the Organization's initiatives targeting LDCs, namely, the establishment and strengthening of Technology and Innovation Support Centers (TISCs), national-capacity-building and the use of IP as a development tool (for example, the brand image of the products of those countries and their increased access to IP databases). All of those areas of cooperation significantly increased the added value of development cooperation between WIPO and the LDCs while allowing those countries to build their capacity to make full use of IP systems for development related purposes. The Group therefore welcomed the consistency of the Organization's Program and Budget structure, of which the Development Cooperation Program was an important part. It urged member countries to participate constructively in the discussion under the relevant agenda item and to adopt the budget for the coming biennium since its rapid adoption would facilitate the timely implementation of various WIPO activities, including those focusing on the LDCs. The Group also expressed its interest in the discussions held in the IGC and its great concern at the suspension of work in that Committee. It therefore urged the members to resume consultations and expressed its support for transforming the IGC into a standing committee. With regard to the draft industrial design treaty, the Group reiterated its full support for the holding of a diplomatic conference and its hope that matters related to technical assistance and capacity-building would be taken duly into account; at their level of development, the LDCs required assistance and support for implementation of the future treaty. The Group took the opportunity to express its appreciation to all the technical and financial partners that supported the LDCs in their development initiatives and efforts to improve the living conditions of their respective peoples. It was particularly grateful to the Government of Sweden for its generous contribution within the framework of the Istanbul Programme of Action and, in particular, its Training Programme for Least Developed Countries. It also thanked the WIPO Division for Least Developed Countries for its important role in the coordination of activities and requested the support of bilateral and multilateral partners in providing the Division with the necessary resources to fulfill its important mandate. Lastly, the Group reiterated its desire to participate actively in the work of the Assemblies in a constructive spirit so that the deliberations would be successful.

34. The Delegation of Brunei Darussalam, speaking on behalf of the Association of Southeast Asian Nations (ASEAN), reported that at the end of 2015 the ASEAN Community would be launched, comprising the ASEAN Political-Security Community, the ASEAN Economic Community (AEC) and the ASEAN Socio-Cultural Community. The Economic Community would offer ASEAN stakeholders an integrated and rapidly developing region with duty-free internal trade covering 96 per cent of tariff lines, a liberalized investment regime and improved market access for over 100 services sectors. A more predictable and competitive business environment was also being created through the adoption of competition laws and improvements in IP legislation and administration. ASEAN's GDP was 2.6 trillion United States dollars in 2014, almost double the value for 2007 when the AEC Blueprint was first adopted. Real GDP growth was projected to be 4.6 per cent in 2015 and 5.1 per cent in 2016. The challenges ahead were the anticipated stagnation in global economic growth and volatility in financial markets, but the forecasts gave confidence and provided good ground to support the view that ASEAN would continue to flourish on the economic front. It had been more than five years since the drafting of the ASEAN IPR Action Plan 2011-2015, a key component of the AEC Blueprint. It had been designed to transform ASEAN into an innovative and competitive region through the use of IP, and the Delegation was pleased to report on the significant progress made toward that goal. A good number of the action plan's initiatives would be completed in 2015, despite the surge in IP protection applications spurred by ASEAN's strong economic growth and the corresponding burden that it had placed on ASEAN IP offices. ASEAN's accomplishments would not have been possible without WIPO's support for regional programs and activities. WIPO Singapore Office (WSO) had successfully completed some 20 technical assistance activities and 11 study visits covering IP administration systems, accession to WIPO treaties and copyright. ASEAN looked forward to WSO's continued support beyond the ASEAN IPR Action Plan 2011-2015, and also recognized not only the need to sustain momentum, but also the importance of IP in economic policies. Hence, it had already begun preparing a framework to create its next 10 year IPR action plan. WIPO had assessed the current Action Plan and provided recommendations for the subsequent post-2015 ASEAN IP Strategic Action Plan. The recommendations had guided the drafting of a new plan that would build on efforts to lay the foundation for a competitive region and support regional IP platforms, thereby reflecting an integrated ASEAN. The Delegation had since completed its 2016 IP Action Plan. Looking forward to a more vibrant collaboration with WIPO, it acknowledged that the draft Program and Budget for the 2016-2017 biennium provided continued focus on ASEAN through assistance in implementation over the next 10 years and was aligned with national plans and IP strategies. The Delegation was very grateful to WIPO for ensuring that the region would remain an active player in the international IP community.

35. The Delegation of Thailand said that it wished to align itself with the statement delivered by the Delegation of India on behalf of the Asia and Pacific Group. During the past year, Thailand's copyright law had been amended, introducing new provisions on technological protection, rights management and internet service provider (ISP) liability limitation in order to enhance copyright protection in the digital environment and combat unauthorized reproduction of audiovisual content in cinemas. A draft amendment to the Trademarks Act, which would enable Thailand to accede to the Madrid Protocol, was expected to be adopted by the end of 2015 and the country hoped to become a party to the Hague Agreement within the next few years. In light of the importance of geographical indications and their potential to stimulate domestic economic growth and protect local wisdom, the Delegation welcomed the successful conclusion of the WIPO Diplomatic Conference for the Adoption of a New Act of the Lisbon Agreement. It appreciated the continuing effort to promote diversity in human resources, fair geographical representation and a gender balance in WIPO's staff in order eventually to make it a truly balanced international organization. However, delegations still needed to narrow their differences on several pending normative issues, find common ground and display the political will to move forward. Among other things, Thailand strongly supported the proposal to convert the IGC to a standing committee and renew its mandate. It also stood ready to work constructively with other delegations, including on issues facing the SCCR, the SCP and the

SCT, with a view to ensuring that any progress made in the Organization would contribute to a robust IP system at the national and global levels. Lastly, it thanked WIPO for presenting the Award for Creative Excellence to Her Royal Highness Princess Maha Chakri Sirindhorn and invited all delegations to participate in that event.

36. The Delegation of San Marino extended warm congratulations to the Chair on his election, and to the Director General for the success achieved in the daily management of the Organization and for the good work performed by the staff, especially in international cooperation with the intellectual property offices (IPOs) of WIPO Member States. The National Patent and Trademark Office of the Republic of San Marino had received assistance from WIPO, not only at the time of its creation but also in recent years when it was equipping itself with modern tools for managing the patent and trademark applications filed with the office. The Government of San Marino expressed its gratitude to WIPO for the assistance provided through installation of the Industrial Property Automation System (IPAS) software and for the excellent support given to its IPO staff in recent years. Since its creation, the IPO had been able to provide more efficient, economical and faster services to SMEs in the country, thanks to its international cooperation with WIPO. The Delegation indicated that the Government of San Marino supported WIPO initiatives intended to build awareness on IP and its use by inventors and SMEs which were the driving force of the national economy. Similar initiatives should also be taken at the regional level. The Government was prepared to support all awareness-raising initiatives. For its part, the Republic of San Marino was carrying on with the modernization of its IP legislative and administration system. Thus, the country was preparing to join the Hague System and intended to modernize its copyright law which no longer met the needs of a modern society whose economy relied on global information dissemination channels. The Delegation welcomed the six per cent increase in WIPO's financial resources which, thanks to good management, would guarantee the Organization's financial security. Such increase was an indication of increased demand under the global IP systems managed by WIPO, namely PCT, the Madrid System and the Hague System and it should be hoped that the economic recovery would continue. Lastly, the Delegation supported the proposal to convene a diplomatic conference for the adoption of a DLT. The area of drawings and models particularly interested the companies in San Marino and they were keenly monitoring developments in the law intended to facilitate the acquisition of protection in the largest number of countries. In conclusion, the Delegation expressed the wish that the proceedings of the Assemblies would be crowned with success.

37. The Delegation of Iran (Islamic Republic of) associated itself with the statement delivered by the Delegation of India, on behalf of the Asia and Pacific Group. The need to protect IP rights was greater than ever given the need to respect IP rights as individual and private rights and the role such assets can play in the economic and social development of human societies, particularly in the age of information and communication technology. Nevertheless, such protection had to be defined so as to strike the necessary balance between the rights of the owners of the assets and the rights of the community. IP rights were not objective *per se* but a means for developing societies and creating social and economic welfare; indeed it was in this context that the TRIPs Agreement and the WIPO DA had clearly emphasized the principle of a balance between the rights of individuals and society on the one hand, and between the obligation and rights on the other. There was a need for the practical effects of the principle to be reflected to a greater degree across WIPO activities. Subsequently, the Delegation welcomed the adoption of the 2030 Sustainable Development Agenda by the UN General Assembly, but believed that the WIPO Development Agenda must not be considered as a time bound project. It was an on-going process, and it was in line with the interests of all WIPO Member States that it be mainstreamed in all WIPO activities and committees, particularly those related to the setting of norms. There was therefore still a long way to go in the implementation of the WIPO DA recommendations. The successful organization of the Diplomatic Conference for the Adoption of a New Act of the Lisbon Agreement had provided an opportunity that had to be optimally utilized. The revised Lisbon Agreement was more attractive and more efficient,

and the changes had paved the way for its universality. Despite this, it was noted that in other areas of norm-setting and in response to the challenges ahead, WIPO had not been able to succeed. It was a matter that required the revision of WIPO's means and mechanisms on the one hand and Member States' political will on the other hand. Despite 14 years of time and cost, a lack of political will and cooperation among some WIPO Member States had brought to a halt the work of the IGC, the substantive and result-oriented progress of which were a priority for developing countries. This failure gave the impression that any WIPO norm-setting activity can be terminated easily, a situation benefiting neither developed nor developing countries. To tackle this, and in order to overcome the existing deadlocks, it was imperative that the Committee become a standing committee thereby removing a structural imbalance among WIPO's norm-setting bodies. Iran (Islamic Republic of) had taken a number of steps over the preceding year to promote and protect IP rights, including the revision of related laws and regulations; the drafting of a law on folklore; the commemoration of IP Day; the first steps in establishing a TISC; the holding of a workshop on managing IP rights in SMEs in cooperation with WIPO and national science and technology parks; the convening of the 3<sup>rd</sup> session of the Coordinating Committee of the Member States of the Economic Cooperation Organization on Industrial Property in Tehran; the signing of an agreement with the Patent Institute of Turkey on mutual IP cooperation as well as an MoU with the Intellectual Property Office of China; and the holding of several training seminars and workshops in the various fields of IP rights in cooperation with the relevant institutions of the country. Turning to WIPO External Offices, Iran (Islamic Republic of) believed that decisions establishing external offices had to be taken in a manner that was transparent, free of discrimination, and conducive to an equitable and geographically-representative distribution. The Delegation reiterated the need to view the approach to the issue as a fresh start in WIPO's move towards universality and as a flagship of its efficiency and effectiveness. Decisions on external offices should not be downgraded merely to budgetary and financial considerations, and accordingly, it was necessary for guiding principles to be finalized in line with the observations and proposals of Member States. The Delegation still deemed its country's IP capacities to be appropriate and offered once more to host a WIPO External Office in Tehran.

38. The Delegation of Japan, speaking in its national capacity, emphasized that since WIPO was a special organization in being supported by user fees, the draft Program and Budget 2016-2017 must be approved during the 2015 Assemblies through constructive dialogue among Member States in response to users' expectations of the implementation of all WIPO programs. Japan was keen to contribute to increasing WIPO's value, with a particular focus on areas of common benefit to all stakeholders. In the meantime, Japan had a number of priority areas. The first was to enhance the PCT, Madrid Protocol, and Hague Systems. Under the WIPO Convention, the objective of WIPO was "to promote the protection of intellectual property throughout the world". Therefore, all WIPO activities should be carried out in accordance with this basic principle. Given that WIPO was supported by user fees paid for their international applications and registrations, the most important activities at WIPO should be those that enhanced global IP services, such as the PCT, the Madrid Protocol, and the Hague Agreement. Enhancing these global services could make WIPO even more attractive to users. Japan sincerely hoped that relying on its original principles, WIPO would lead discussions to promote IP protection. The second priority area was the establishment of IT infrastructure. It was essential to improve the IT infrastructure that supported the IP system. Providing useful information on IP to users beforehand would aid them in filing more sophisticated applications and advancing the spread of technology; sharing examination results among IPOs would contribute to improving the quality of examinations and the efficiency of business operations. Japan was committed to continuing its contributions to improving the operability and user-friendliness of the IT infrastructure for users around the world, with a focus on enhancing global databases and the WIPO Centralized Access to Search and Examination (CASE) network. Indeed, Japan had recently started providing information to the global brand and design databases and had formally started participating in WIPO-CASE. The Delegation took the view that Japan's contributions significantly increased the amount of information now available in

WIPO's IT infrastructure and greatly enhanced its usability. Improving the IT infrastructure was one area in which user-friendliness could be enhanced more flexibly and easily than norm-setting. Japan hoped that WIPO would prioritize investments in IT infrastructure, in order to return its fee-based income to users in the form of even further enhanced services. Japan requested IPOs to cooperate with WIPO by proactively providing their IP information to the WIPO databases in order to further enhance user-friendliness. The third priority area was formulating treaties, such as the DLT and the Treaty on the Protection of Broadcasting Organizations. Normative work was also an important WIPO mission. With a view to aiding the convening of diplomatic conferences as early as possible on agendas such as the DLT and the Treaty on the Protection of Broadcasting Organizations, Japan sought to make active contributions to advancing discussions on such agendas. The fourth priority area was cooperation programs for developing countries organized through Japan's voluntary contributions. Japan also considered that one of the important roles of WIPO was providing assistance to developing countries and LDCs, with a view to improving the international IP system and providing appropriate IP protection. To that end, Japan was making voluntary contributions to developing IP systems around the world and the Government of Japan made the largest contributions to WIPO in this regard. As part of these contributions, Japan had already welcomed about 1,700 trainees, sent its experts to numerous countries and organized various forums and workshops. Japan sincerely looked forward to WIPO's efforts in making effective use of funds in accordance with the intentions of donor offices, so as to implement more effective and efficient technical assistance. Japan was introducing major initiatives nationally, based on three pillars: achieving the fastest and highest-quality IP system in the world; expanding the effective use of IP by broadening the base for the utilization of IP by SMEs and venture companies and enhancing their knowledge on IP; and promoting globalization of the IP system. In regard to the third pillar, in May 2015, Japan had started accepting international design applications under the Geneva Act of the Hague Agreement. In addition, Japan revised its laws and regulations in order to accede to the Patent Law Treaty (PLT) and the Singapore Treaty on the Law of Trademarks. The Delegation had high expectations that, thanks to these initiatives, Japanese users would be able to implement effective IP strategies in more user-friendly circumstances. 2015 marked the 130<sup>th</sup> anniversary of the establishment of the IP rights system in Japan. The Delegation restated Japan's firm resolve to continue its contribution to encouraging innovations in the global IP system by making use of the experiences gained in its history.

39. The Delegation of India, speaking in its national capacity, noted that in modern times, knowledge had become the fulcrum of development, as it replaced traditional resources as the source of competitive advantage for countries. Countries with feeble knowledge economies were bound to lag behind in the era of densely interconnected information networks. A robust IP regime provided the bedrock for innovation that was crucial to building the economy and aiding the development of any country. At the same time, countries should bear in mind their role as welfare States in safeguarding and providing for the needs not only of their own citizens, but also of the entire global community. With IPRs came IP duties, and Member States should remain fully conscious of both. India was committed to maintaining this delicate balance of promoting innovation, protecting IPRs and meeting its developmental challenges by providing a well-balanced, TRIPS-compliant and purposeful IPR regime. India had created an IP ecosystem that was highly transparent, e-enabled, efficient and freely accessible to the public. The Government of India was committed to these advancements and improvements in India's IT and other infrastructure. India was preparing a roadmap for the future through its National Intellectual Property Rights Policy (IPRP), which envisaged IP as an integral part of India's overall development policy. The IPRP would provide a secure and stable climate for stimulating inventions and creations. It would also augur well for research, trade, technology transfer and investment. In order to strengthen the Indian IP administration, the Government of India had launched a project worth 50 million United States dollars to modernize and strengthen IPOs. India was aiming for a four-fold increase in the number of patent examiners, which would drastically reduce pendency. One of the goals of these IP initiatives was to drive "Make in



India”, a flagship program aiming to facilitate investment, foster innovation, enhance skill development, protect IP and build state-of-the-art manufacturing infrastructure. The Delegation reported with pleasure that the Indian Patent Office, which had started functioning as International Search Authority and International Preliminary Examining Authority (IPEA) two years previously, had already issued 734 Search Reports following 923 requests. India prided itself on providing quality reports at the lowest cost among patent offices. India had made enormous progress in filings under the Madrid Protocol for the International Protection of Trademarks. About 17,000 international applications designating India had been received in India. India was grateful to WIPO for registering the international trademark of an Indian company as the 1.25 millionth mark under the Madrid System. The creation of the Traditional Knowledge Digital Library (TKDL) had been a major achievement for India, a country with a vast pool of TK. India had been partially able to prevent attempts to misappropriate its TK with the help of the TKDL digital library, particularly with those countries that had included TKDL in their search. India hoped that the TKDL would be made a part of PCT minimum documentation. As policymakers, governments had a duty to create awareness in their populations, especially among the new generations, about their IPRs. India had initiated a “Kids Nook” to inculcate the culture of IPRs into children through comics. It would be considerably heartening for WIPO to take up such awareness initiatives globally. The development of a normative framework was one of the important functions of WIPO and India look forward to more progress in this regard. India was one of the cradles of human civilization, with deep rooted traditions, a rich, ancient culture and prodigious biodiversity. India looked forward to the early finalization of an international legal instrument for the effective protection of its TK, TCEs and GRs. India wished disclosure, prior informed consent and equitable access and benefit-sharing to be included in the international instruments concerning IPRs. It also noted the encouraging progress made in the SCT, in respect of the negotiations on the DLT. National-level flexibilities were essential and should be allowed under that treaty. India was prepared to consider the issue with an open mind. India reiterated its support for a treaty on protection of broadcasting organizations relying on the signal-based approach in the traditional sense, consistent with the mandate of the 2007 General Assembly. However, the issue of a “rights-based approach” to protecting broadcasting organizations and the inclusion of any elements of webcasting and simulcasting required further discussion and exchange of ideas. India had been the first country to ratify the MVT/Marrakesh VIP Treaty and hoped that the target of depositing 20 instruments of ratification by eligible parties would soon be reached, so that the MVT/Marrakesh VIP Treaty could enter into force. The MVT/Marrakesh VIP Treaty was one treaty which should make all WIPO Member States proud. India believed that the time had come to gradually expand the network of external offices in order to further develop the global IP system. There should be clear guidelines for setting up such offices, to ensure transparency in the procedure and final selection. India would do its utmost to assist with this process. An area of concern was IPR negotiations being brought into bilateral and regional trading agreements in addition to other plurilateral processes. The stated objective of such negotiations was to seek protection and enforcement of IP rights beyond the provision of TRIPS. It was an attempt to subvert accepted global IP norms and bypass WIPO’s mandate. Such misplaced IPR activism was beyond the scope of international legal obligations and it was acceptable to India. Those ongoing negotiations were against the spirit of multilateralism and were likely to have a deleterious effect on multilateral institutions like WIPO. India also acknowledged the commendable role played by the Comptroller and Auditor General of India as an external auditor of WIPO for the 2014 financial year. The WIPO management was also to be commended for its positive response to the recommendations of the External Auditors and the measures it had taken for improvements in different areas. The Delegation expressed its satisfaction following the steps taken by WIPO Member States and the Director General and his team to ensure a greater development orientation in WIPO’s work and the mainstreaming of the DA, and looked forward to the effective monitoring mechanism being developed in that regard. The Delegation expressed its sincere thanks to WIPO for giving it the opportunity to showcase the registered geographical indications of India. Geographical indications could generate tremendous business opportunities across the globe, given their inherent reputation and quality. All delegations were invited to the exhibition. Finally, the

Delegation expressed confidence that the current session would enable intensive deliberations and play a positive role in guiding WIPO's work, including the approving of the draft Program and Budget for the 2016-2017 biennium. The Delegation looked forward to actively participating and contributing to the deliberations of the General Assembly.

40. The Delegation of Ecuador endorsed the statement delivered by the Delegation of Brazil, on behalf of GRULAC, adding that it fostered strategic regulation of IP as a useful tool for the promotion of research and innovation, in balance with the full exercise of other rights, such as the right to health and education. Accordingly, IP had to serve knowledge generators and the productive sector. Adequate protection and enforcement of IP rights stimulated innovation, technological development and the growth of the creative industry. Likewise, IP should be a tool for accessing technology, exercising basic rights and disseminating cultural goods. That was why the Delegation firmly believed that adequate protection should be counterbalanced by a regime of limitations and exceptions that made strategic use of the flexibilities allowed by international instruments. Such balance was key to the progress of industrializing countries in that it allowed endogenous development and helped narrow the digital divide. Major flexibilities were available to the countries of the South, such as exceptions with regard to protectable subject matter; usage not authorized by the rightholder, as allowed under the TRIPS Agreement; and public policy tools for the inclusive use of IP. Consequently, there should be flexibility in regard to copyright and related rights, so that the SCCR could advance the treatment of those topics, taking a balanced view of limitations and exceptions for educational institutions, teaching, research and broadcasting. Ecuador was in favor of extending the mandate of the IGC. One of the topics all Member States should consider was the question of external offices and consensus on the guidelines for the opening of such offices. Subsequently, decisions should be made on the number of new offices and their location. Ecuador strongly supported the establishment of an office in Latin America and the Caribbean to satisfy a major need in the region.

41. The Delegation of South Africa aligned itself with the statement delivered by the Delegation of Nigeria on behalf of the African Group. He observed that the importance of a balanced IP global framework could not be over-emphasized, as innovation did not automatically follow adoption and enforcement of stronger IP protection. In 2007, when the DA was adopted, it represented a paradigm shift in rejecting the one-size-fits-all approach that was the order of the day. It sought to address the imbalances in the IP system and their impact on developing countries. However adoption meant little if not followed by concrete and effective implementation of the recommendations, addressing the complexity of IP and the linkages among its multiple dimensions. The Delegation noted that, as a Specialized Agency of the UN, WIPO was guided by the former's broad development goals and had a responsibility to take account of the differences in the level of economic, social and technological development of Member States when formulating treaties or providing policy advice. Having regard to the recent adoption of the SDGs, WIPO had the added responsibility of ensuring the consistency of its work with the broader global SDG agenda. The Delegation supported the promotion of pro-development norm-setting to avoid placing additional social and economic burdens on developing countries and it was within that context that South Africa approached discussions in the various committees. The CDIP was to be commended for finalizing the terms of reference for an independent review of the implementation of the DA recommendations. South Africa was hopeful that the review would reveal the real impact of WIPO projects on implementing the DA recommendations which would assist the Organization in rendering them more effective. The Delegate also commended the Committee for agreeing on the way forward with regard to the IP and Development Conference and its work on the Project on Technology Transfer. He wished to see subsequent recommendations being implemented as envisaged in Article 10 of the Agreement establishing WIPO as a UN agency. South Africa was of the view that the DA should address WIPO's work in all its dimensions, its relevance not being limited to any specific body or committee. The Delegation expressed South Africa's concern that agreement had not been reached on the implementation of the coordination mechanism, with particular regard to

the Program and Budget Committee (PBC) and the Committee on WIPO Standards (CWS). He noted with concern that agreement remained elusive regarding implementation of the recommendations of an external review of WIPO's technical assistance in the area of cooperation for development as well as on the implementation of the third pillar of the CDIP mandate, which concerned the interface between IP and development. The Delegation called for a speedy resolution so that the focus could return to substantive work. Turning to the SCT, South Africa supported efforts towards concluding a diplomatic conference to adopt the DLT which included an article on technical assistance to enable States to implement the Treaty. The Delegation also supported the African Group's proposal on disclosure as those requirements were common in the IP system and provided the requisite balance. Turning to the PBC, South Africa congratulated WIPO on receiving an unqualified audit and encouraged the Organization to implement the recommendations made by the External Auditor. The Delegation also commented that if WIPO were to perform at an optimal level, it needed to promote credibility, integrity, equity and transparency. In that regard, South Africa encouraged WIPO to heed the Joint Inspection Unit (JIU) recommendation on governance reform. It encouraged Member States to address this issue and to strive to make the Organization more dynamic, effective and efficient. Member States were encouraged to show the same constructive spirit demonstrated during the discussions on the revised definition of development expenditure. The Delegation also hoped that that spirit would continue with the Committee in finding a fair resolution to Program 20, the long-standing issue on external offices, where Africa was the only continent unrepresented in the external offices network. Fairness, equity and integrity were principles that should guide the process as finalization and adoption of the guiding principles were sought. With regard to the IGC, South Africa believed that strong political will was necessary for progress on the Intergovernmental Committee and wished to reaffirm its commitment to the renewal of its mandate, pursuing text-based discussions on GRs, TK and TCEs with a view to establishing a legally binding instrument. It was regrettable that consensus had not been reached at the 2014 Assemblies, but the Delegation was hopeful that the African Group's proposal could provide the opportunity for substantive reflection and consensus-building in order to reach a common understanding on the need for effective protection of GR, TK and TCEs. Turning to the SCCR, the Delegation reiterated its commitment to working on the three issues: Broadcasting; Exceptions and Limitations for Libraries and Archives; and Exceptions and Limitations for Educational and Research Institutions and it felt the Committee had made significant progress on the scope and object of protection and that a shared understanding was closer. South Africa wished to see the work concluded through a treaty in line with the 2007 General Assembly mandate. It also wished to see progress on Exceptions and Limitations in line with the 2012 mandate, settling the controversy surrounding future tasks which had impeded the work of the Committee. The Delegation felt this to be particularly important in the current digital environment where the economic right of the provider needed to be balanced with society's needs. As regards the SCP, the Delegation was pleased to note that the Committee had been able to agree on a work program, which although not sufficiently ambitious, was a step in the right direction. South Africa encouraged Member States to be more ambitious in line with the recommendations of the DA as critical issues relating to patents and health were addressed. The Delegation concluded by acknowledging the importance of WIPO's role in creating a fair and equitable global IP system and assured the meeting that it remained committed to engaging on all issues concerning consensus-building and which reflected the interests of all WIPO Member States.

42. The Delegation of the United Kingdom supported the statements made by the European Union Presidency and the Delegation of Japan, speaking on behalf of Group B. It was clear that many challenges in finding a shared approach to future work in WIPO had still to be faced. The United Kingdom firmly believed that IP, its value, protection and exploitation were key elements in global economic development. In September 2015, the United Kingdom hosted the launch of WIPO's 2015 Global Innovation Index at an event which explored the vital role played by IP for countries seeking to capitalize on their knowledge economy. Thus, improvements in the way that all parties worked together in WIPO must be continued; committees were still too often

unable to discuss the important issues they were tasked to address. Collectively, the opportunity to develop the international IP framework to reflect the evolving ways in which business was carried out must be seized. The United Kingdom had been encouraged to see the continued growth in the membership of key WIPO systems and services over the preceding 12 months and the Delegation was pleased to announce that the United Kingdom was currently consulting on becoming a member of the Hague System. It was already a member by virtue of its membership of the European Union, but wanted to follow the example of other Member States who had joined in their own right. The United Kingdom considered that membership would allow greater flexibility for the business community. The United Kingdom believed strongly in furthering efforts to increase engagement from businesses in all Member States at all stages of development so that WIPO could tailor its approach to ensure the greatest impact. WIPO's task was to serve the users and consumers of global IP systems, so their increased input was vital. With this in mind, the United Kingdom was delighted to co-host with WIPO colleagues a series of seminars across the United Kingdom in October 2014, which sought to raise awareness of IP and of WIPO's services to a diverse set of over 200 attendees, ranging from business people to university representatives and start-up designers. Turning to WIPO finances, the Delegation noted with pleasure that WIPO continued to make significant improvements in financial monitoring and reporting processes. There were a number of financial challenges facing WIPO and the decision of the PBC to implement a new set of investment policies was welcomed. That would help the Organization to make better use of its significant reserves and address currency challenges. The Delegation hoped the Assemblies could come to an agreement on remaining budget issues, which were key to the Organization's continuing work and concluded by highlighting a seminar the United Kingdom was co-hosting that week with the national Offices of Denmark, Malaysia and Singapore on the theme of valuing IP and addressing global challenges. Further information about the event was being provided to all delegations.

43. The Delegation of Nigeria, speaking in its national capacity, aligned itself with the statement of the African Group. It attached importance to the overarching role of the General Assembly in charting WIPO's course for the following year, and so was concerned by the state of WIPO's normative agenda. Given WIPO's position at the helm of global intellectual policy making, it was a matter of self-preservation for WIPO and its Member States to find a balance between the competing interests of its diverse membership. The Delegation therefore called on Member States to demonstrate a collective will to recommit to progress on the various issues of divergence in WIPO. It was evident that IP was a fundamental tool for facilitating the commercialization of innovative and creative efforts, as overwhelmingly evidenced by the contemporary global knowledge economy. Consequently, the Delegation emphasized the enabling roles to be played by WIPO's key actionable steps in IP supported economic growth and development for developing countries like Nigeria, including the establishment of external offices in Africa. Nigeria had indicated its interest in hosting a WIPO External Office, underlining the benefits of disseminating IP knowledge, awareness and presentation in Africa, including Nigeria. It was clear that Africa was a continent replete with human and material resources that could be elaborated through IP for societal development, wealth creation and economic growth. Accordingly, Nigeria prioritized the conclusion of negotiations on a treaty for the effective protection of GRs, TK and TCEs from misappropriation and commercialization. The Delegation therefore supported the African Group's proposal to convert the IGC into a Standing Committee, affording the substantive text based negotiations a change of focus. Furthermore, the Delegation considered it paramount to take the necessary steps to enhance access to knowledge, scientific information and technology for developing countries and LDCs, as well as to redress the considerable disparity in the representation of Africa across the tiers of WIPO. Nigeria had taken important steps to enhance its domestic IP framework and was actively engaged in the process of ratification of the relevant WIPO-administered treaties, digitizing its IP records, undertaking reforms to meet the challenges of the digital environment, enhancing compliance with its international IP obligations; and scaling up criminal sanctions for IP infringements, while enhancing provisions to improve the prospects of rights management .

Nigeria appreciated its productive bilateral relations with WIPO, which had supported, and continues to support, the development of Nigeria's IP infrastructure through awareness-creation workshops and seminars, targeted engagements with SMEs, establishment and support of Nigeria's TISC, and various other capacity building and technical assistance programs and activities undertaken in collaboration with the country's IP Offices. The Delegation looked forward to further engagement with WIPO on specific areas of interest such as improving examination standards and assisting Nigeria to achieve a substantive examination level, strengthening co-operation through the IP Academy and implementing a national start up academy for the training and development of a core human resource capital in the field of IP.

44. The Delegation of Albania said that it associated itself with the statement made by the Delegation of Romania on behalf of the CEBS Group. Albania's cooperation with WIPO had focused on modernization, capacity-building and awareness-raising, which had led to the introduction of the IPAS and deployment of the Electronic Document Management System (EDMS). With support from the European Patent Office (EPO), the State's patent archive had been fully digitized. Over the past year, its General Directorate of Patents and Trademarks had taken steps to implement and monitor implementation of the National Intellectual Property Strategy (2010-2015), the national legal framework on such matters had been completed by the entry into force of legislation that was fully compliant with European Union directives, and World Intellectual Property Day had been promoted through a media campaign. Albania was a candidate for membership in the European Union, a factor that had to be taken into account when planning and implementing cooperation activities between the Government and WIPO to ensure they were correctly targeted. It was to be hoped that the Organization would continue to take a more open and flexible approach to promoting the global IP system in Albania.

45. The Delegation of Morocco said that it associated itself with the statement made by the Delegation of Nigeria, on behalf of the African Group. Morocco welcomed the Organization's financial statements for 2014, which had been prepared in accordance with the International Public Sector Accounting Standards (IPSAS) and showed a surplus of 37 million Swiss francs for the current year. The Delegation was pleased by the financial soundness of the Organization and its resources, which could be used to support its future objectives. It was, however, concerned about the policy changes announced by the Swiss Federal Administration of Finance, which had stated that, as from December 1, 2015, WIPO would no longer be able to hold deposit accounts with the Swiss National Bank. The Delegation therefore considered that Member States should take a decision regarding amendments to WIPO's policy on investments in order to minimize the negative impact on the Organization. Morocco attached great importance to the question of the Organization's external offices, of which there were none in Africa, in light of their crucial role in increasing awareness of WIPO and of IP issues. In that connection, it requested that the principle of geographical balance among continents should be included among the criteria for the establishment of such offices, supported the African Group's proposal to establish two external offices during the 2016-2017 biennium and reiterated its offer to host one of those offices. The Delegation also supported the African Group's proposal to transform the IGC into a standing committee in order to provide a more enabling environment for negotiations. It welcomed the progress made by the SCT but called on that body to work more quickly with a view to the convening of a diplomatic conference and expressed its commitment to finding solutions through multilateral diplomacy. While Morocco was not a party to the Lisbon Agreement, it welcomed the adoption of the latter's new Act, which was more open and attractive and focused on the scope of protection rather than on procedural matters, thus guaranteeing rights that had been previously acquired in good faith and, provided that the objective was achieved, taking the specificities of national systems for the protection of geographical indications into account, particularly in developing countries. 2014 had been a pivotal year in the development of industrial property in Morocco.

46. The Delegation of the Republic of Korea expressed satisfaction at the outcomes and progress of the WIPO projects that had been launched within the previous year. Nonetheless, WIPO would greatly benefit from a stronger focus on further enhancing its customer services. This was why, in the view of the Delegation, WIPO's external offices were so important. The Republic of Korea was heavily invested in the notion that external offices be established in areas where they could be financially sustainable and most effectively provide localized services. However, external offices had other important functions, such as geographical representation and the Technical Assistance Cooperation Network. The Delegation hoped that WIPO Member States would engage in concrete discussions on the locations of future external offices as soon as a compromise on the guiding principles had been reached. Another issue centered on fair and transparent operations in the financial elements of the IP registration systems. The Delegation opined that without a doubt, if any registration system insisted on its independence and autonomy, it should do its best to attain financial sustainability. The Delegation hoped that all Unions would sincerely consider this issue and reach a compromise, thereby ensuring the success of the Assemblies. Regarding the DA, since bridging the IP divide among Member States was of obvious importance, the Korean Government, in collaboration with WIPO, was working to address the issue by utilizing the Korea Funds-in-Trust. In April 2015, the Republic of Korea hosted the KIPO-WIPO Appropriate Technology (AT) Grand Symposium to provide a platform for compiling AT-related experience and know-how. Furthermore, with cooperation from the WIPO Academy, the Republic of Korea also launched IP-IGNITE, an audio-visually enhanced version of WIPO's Distance Learning-101 course. With regard to copyright and related rights, the Korean Government had contributed the Funds-in-Trust in Copyright and Related Rights to WIPO every year since 2006. The Delegation was honored to report that the Korea Fund-in-Trust was ten years old and all Member States were invited to the side event on October 8th to learn about the activities of the Fund-in-Trust and consider a future plan with Member States. The Republic of Korea would continue to share its experience and know-how with other Member States as it further expanded its projects implemented in close collaboration with WIPO. Turning to recent IP-related activities in the Republic of Korea, the Delegation noted that since the adoption of the "Creative Economy" as its new national agenda in 2013, the Republic of Korea had worked to strengthen the IP ecosystem in order to encourage new start-up businesses with innovative ideas and new types of IP R&D, and IP-based financing strategies had been set up to help start-ups to develop into scale-ups and ultimately become global IP star companies. One successful outcome of its activities had been the establishment of 17 Creative Economy Innovation Centers to provide coverage across the entire nation. Each center assisted with commercialization and helped facilitate the growth of SMEs and venture companies. The outcome was an expansion in the scope of IP-based financing, which encouraged IP rights commercialization and the fostering of innovative start-ups. In 2014, a total of about 150 million US dollars were loaned to 303 different companies. However, much work remained still, such as promoting global innovation by cooperatively establishing guidelines for harmonizing various IP valuation systems. The Delegation noted that the annual GDP growth rate of the Republic of Korea was almost identical to the annual rate of increase in the number of IPR applications in the previous 20 years. That showed that IPRs were always the main engine for industrial and economic development. In 2014, the Republic of Korea had amended both its Patent Act and Utility Model Act in order to offer IP users the choice of filing their applications in Korean or in English. The Delegation also reported with pleasure that the Republic of Korea would deposit the instrument of ratification to the Marrakesh Treaty during the 2015 Assemblies. The Republic of Korea stood ready to lend WIPO its full support by faithfully fulfilling its responsibilities and commitments and by effectively collaborating with its fellow Member States.

47. The Delegation of Switzerland expressed its support for the statement delivered on behalf of Group B and wished to stress three additional points. First of all, it had noted with satisfaction the progress made in 2015 as regards norm-setting for the Lisbon System. The Geneva Act adopted in May 2015 took due account of international developments in the field of geographical indications since the adoption of the Lisbon Agreement. Once adopted, that new

instrument would make the Lisbon System more modern and more appealing and that new accessions would provide a source of additional income. Moreover, the Geneva Act offered an effective international system for the registration and protection of geographical indications, a category of IPRs. Second, the Delegation hoped that it would be possible to continue on that positive note by focusing on activities at the very heart of WIPO's mandate, foremost among which were the development and modernization of the registration systems managed by the Organization. The same held true for the positive outcome of ongoing norm-setting efforts in the field of industrial designs, broadcasting organizations and GRs, TK and folklore. On that latter point, the Delegation supported the efforts deployed by the facilitator of the IGC and hoped that these Assemblies would take a decision allowing the continuation of the IGC work. Third, to enable WIPO to continue to meet expectations in connection with its many activities, the Organization required an adequate budget. That being so, the Delegation regretted that the PBC had not been able to reach agreement on the draft Program and Budget 2016-2017, as a continuing standstill would be detrimental to the Organization and the Member States as a whole. The Delegation therefore wished to urge countries which had expressed reservations concerning the draft Program and Budget 2016-2017 to do their utmost to ensure its adoption during the current Assemblies, stressing the need for reasonable and pragmatic solutions that did not call WIPO's operating system into question. The Delegation of Switzerland reiterated its support to the Chair to reach such a result.

48. The Delegation of Uganda stated that the country had benefited enormously from its cooperation with WIPO on the promotion of IP for national growth and development. The Government was committed to transforming the country into a modern and prosperous society and was aware that IP played a crucial role in promoting science, technology, innovation and ICT for the achievement of national development goals. A lot had happened since the last Assemblies as evidenced by the results of the Global Innovation Index 2015. Over the last three years, Uganda had consistently qualified as an innovation achiever thanks to the various reforms and activities undertaken by the Government to develop the potential of Ugandans and overcome poverty. Uganda was carrying on with legal reforms in industrial property and plant variety protection, and was investing in human resources and institutional capacity development. With WIPO's cooperation, Uganda had sensitized its policymakers and introduced micro, small and medium-sized enterprises (MSMEs) to IP asset management tools. It was also engaged in building capacity to facilitate technology transfer through the use of IP tools. The Delegation thanked WIPO for the MoU signed with the Government of Uganda in July 2015 to enable the country benefit from the project on "Capacity Building in the use of Appropriate Technology Specific Technical and Scientific Information as a Solution for Identified Development Challenges". Uganda would report on the implementation status of that project in due course. The Delegation was also pleased to report that the National IP Policy formulation process was ongoing and would provide a framework for mainstreaming IP into national development. Uganda awaited WIPO's support to commence its assessment of the contribution of copyright-based industries to its economy. Although it was concerned by the delay in carrying out this assessment, the Delegation hoped that the Assembly would provide proper guidance on the management of these kinds of surveys to ensure that the assessment was conducted as soon as possible. The Assemblies of 2014 had taken various decisions of "no decision". While this was necessary at the time, for reasons cooperation and mutual respect, the Delegation believed that after a considerable time of reflection, members could chart a way forward on all outstanding issues.

49. The Delegation of Brazil, speaking in its national capacity, noted that full implementation of the 45 DA recommendations agreed upon eight years ago was crucial to the legitimacy of WIPO. While celebrating this achievement, it should not be forgotten that this was a work in progress which would be concluded only after achievement of a paradigm shift that focused WIPO's activities on development. The principles that guided negotiations had led to the conclusion of the Marrakech Treaty, which was a historic milestone for the entire international community. The ratification process for this instrument was quite advanced within the Brazilian

legislature and once that process was concluded, the Treaty would have the same status as constitutional amendments which ranked higher than ordinary laws. Furthermore, Brazil hoped that other WIPO Member States would sensitize their authorities to the importance of this treaty in order to speed up its enforcement within the shortest time possible. The Delegation also believed that the WIPO headquarters in Geneva and the external offices should use these recommendations as a guide for their work. It lauded the WIPO Office in Brazil for carrying out many activities including South-South co-operation to promote IP culture without neglecting development objectives. Among the issues that had been a stumbling block to negotiations, two were of key importance to Brazil, namely: the mandate of the IGC and progress in the debate on exceptions and limitations to copyright. On the IGC, Brazil fully aligned itself with the statement made on behalf of GRULAC, relating to the need to adopt appropriate regulations that protected against the misappropriation of GRs, TK and folklore. On exceptions and limitations to copyright, Brazil believed that IP should help librarians and archivists in their mission to disseminate and preserve knowledge. Consequently, there was need for progress in discussions on this issue.

50. The Delegation of Indonesia congratulated the Chair on his election and the Director General for his leadership, assuring the latter of his country's continued support. The Delegation associated itself with the statement made by the Delegation of India, on behalf of the Asia and Pacific Group. As an emerging economy, Indonesia attached importance to the synergy between the protection and promotion of IP and development. As a contribution to the process of negotiation, Indonesia wished to bring the concept of post-2015 SDG into WIPO's work. Indonesia would contribute to discussions on that issue in the spirit of global partnership. IP had become a strategic tool in Indonesia's economic development policy and, in the interests of transparency, Indonesia wished to inform the meeting of some relevant government policies aimed at strengthening the national IP system. The new copyright law was enacted in October 2014 and the next step would be the revision of trademark, patent and industrial design laws. Further information would be provided in the related agenda item. The Delegation hoped that WIPO would continue to assist Indonesia in developing its national IP strategy. It applauded WIPO for the technical assistance provided to Indonesia on the issues of GRs, TK and TCEs. Indonesia hoped that the Assemblies would reach consensus on the mandate of the IGC and the proposal to establish a permanent body.

51. The Delegation of Ghana endorsed the statement made by the Delegation of Nigeria, on behalf of the African Group, and appreciated WIPO's role in promoting and protecting IP at the global level. It recognized IP as an important catalyst for economic development and wealth creation and welcomed WIPO's ongoing efforts to strike a balance between protecting the rights of innovators and creators and meeting the needs of users. Accordingly, Ghana was preparing to ratify the Marrakech Treaty. The Delegation was aware that the effective implementation of WIPO's DA would contribute greatly to policy development at the national level, and stimulate the creation and dissemination of technology relevant for addressing the peculiar developmental challenges of individual Member States. With regard to the IGC, the Delegation was convinced that the Committee had made strides towards the achievement of concrete outcomes after more than a decade of lengthy deliberations and negotiations on conceptual issues. Consequently, the Delegation hoped that any future plan should not only reflect the wide range of views but lead to concrete outcomes such as the adoption of an international legally binding document and, hence, the need to renew the mandate of the IGC for the next biennium. The Delegation had been following with keen interest the discussion on external offices and strongly believed that such offices would play an important role in building awareness and promoting WIPO's global reach. It recognized that WIPO had a significant role to play in the development of the global IP system and the adoption of clearly defined rules on the establishment of external offices and their functions. Consequently, it was important that a final decision be made regarding the opening of the two external offices in Africa. The Delegation attached great importance to the IP system and the roles and work of the various WIPO committees and bodies, and supported the strategic use of IP access for national economic social and cultural



development. IP legislation had been comprehensively reviewed at the national level, one example being the trademarks amendment act of 2014 which incorporates key provisions of the Madrid Protocol. The IP office had embarked on awareness building and training efforts aimed at establishing an IP culture with a view to effectively combating counterfeiting and piracy at the national level and ensuring the enforcement of IP rights. Ghana would be launching a more comprehensive IP policy before the end of the year, broadly aimed at strengthening the use of IP as a tool for national economic development. The Delegation appreciated WIPO's technical support in various areas of the IP system, as well as the assistance that Ghana continued to receive from other development partners, particularly the Swiss IP Office and the Korean IP Office.

52. The Delegation of El Salvador reported that, in November 2014, its country had introduced a national IP policy, the primary aim of which was to promote the generation, protection and proper use of the different categories of IP. Using the policy's guidelines, strategic assets and action lines as a basis would enable the Government of El Salvador to strengthen a culture of promotion, respect and utilization of IP in the country. The Delegation expressed gratitude to WIPO for its assistance with that major achievement and to friendly countries which had helped to reach that goal, in particular the Delegation of Cuba. El Salvador had made meaningful progress in the copyright field and had been the second country in the world to ratify and deposit the instrument of accession to the Marrakesh Treaty. As for implementation, the country was moving ahead with a project for inclusive libraries to operationalize the benefits of the said Treaty by facilitating access to knowledge for the population group concerned. As regards related rights, efforts were underway to promote ratification of the Beijing Treaty on Audiovisual Performances (BTAP), a topic which was being examined by the Legislative Assembly of El Salvador. The National Intellectual Property Office was performing its role of guaranteeing legal certainty and disseminating IP information on all levels, with a view to increasing awareness of IP as a tool for innovation and development. To that end, El Salvador had taken practical steps for the creation of a registrars' academy, with IP as one of its pillars. The Delegation hoped there would be positive results in relation to the Intergovernmental Committee and the convening of a diplomatic conference for the adoption of a treaty on industrial designs. With regard to the SCCR, many developing country members of the Organization, El Salvador gave priority to topics of direct benefit to the public, which was why it was in favor of copyright limitations and exceptions. The Delegation expected that the Organization's budget would be adopted, which would enable it to effectively reach its objectives, which had to be consistent with Member States' development goals. In conclusion, the Delegation reaffirmed WIPO's importance as the guiding body for IP at the international level and expressed appreciation for the work done by the Director General.

53. The Delegation of Algeria said that it supported the statement made by the Delegation of Nigeria, on behalf of the African Group, and hoped that the current Assembly would make it possible to develop coordinated strategies that met the expectations of the various stakeholders. Like many developing countries, Algeria believed that the IP system must be grounded in a development dimension if it was to have a reasonable chance of achieving its objectives, foremost among which was reducing the gap between the developed and the developing countries. In that regard, certain issues should be given particular attention, including, above all, the question of external offices and the need to remedy the inequity in their distribution. Africa was still the only continent that was not represented in WIPO's external network, a fact that helped to widen, year after year, the technological gap that separated the continent from the other regions. The Delegation also considered that the negotiations in the IGC should be reopened, including by transforming it into a standing committee. In particular, such a step would make it possible to adopt binding international instruments to ensure effective protection of the cultural and scientific heritage. The negotiations on that issue warranted a permanent consultation framework. Also worthy of mention were activities relating to technical assistance; the Delegation appreciated the financial resources allocated to such assistance under the draft Program and Budget for the 2016-2017 biennium and reaffirmed the principle

that development activities should be financed under the Organization's regular budget. Other equally important issues deserved greater cooperation and flexibility, including negotiations on limitations and exceptions for libraries and educational institutions and negotiations on technical assistance and capacity-building in the context of the treaty on industrial designs and models. Lastly, the question of governance was of the utmost importance. Algeria favored a formal process for continuing discussion of that issue with a view to a constructive, transparent and inclusive exchange of views; the goal was to simplify and rationalize the institutional structure of the Organization in order to improve its effectiveness and equity. In closing, the Delegation said that Algeria had recently acceded to the Madrid Protocol.

54. The Delegation of Azerbaijan attached great importance to the creation and maintenance of a balanced, transparent and effective international IP system and considered IP as an important tool for sustainable growth and wealth creation. WIPO was a key player in creating a secure environment for investment in scientific and industrial research and in fostering innovation. For these reasons, the Delegation restated its support for WIPO in its efforts to promote innovation and creativity for the economic, social and cultural development of all countries, through a balanced and effective international IP system. The Delegation expressed sincere gratitude to the Director General of WIPO for his comprehensive report emphasizing the successful implementation of WIPO's strategic goals. The Delegation noted with appreciation that enhanced cooperation among Member States, capacity-building for human resources in developing countries, implementation of projects by the WIPO Academy and improvement of the legislative framework were notable among the activities of the Organization. In this respect, the development of training capacity at the National Patent Office of Azerbaijan, with the support of the WIPO Academy, was particularly noteworthy. The official visit of the WIPO Director General to Azerbaijan last year had opened new avenues of cooperation between Azerbaijan and WIPO. As in almost every country in the world, economic development geared towards innovation and based on human capital was a key economic policy priority for Azerbaijan. The development of the non-oil sector of the national economy had become an increasingly crucial target in this regard. Support for scientific innovation, establishment of an environment with incentives for technology transfer and encouragement of innovation in other areas contributed to meeting that target. In the same vein, the Delegation considered WIPO's TISCs as one of the effective tools for fostering the success of the aforementioned initiatives at the national level. The Delegation was looking forward to increasing cooperation with WIPO to accelerate the establishment of such centers in Azerbaijan. Azerbaijan endorsed the initiatives of the Organization and appreciated the implementation of best practices in the interests of all Member States. In recent years, significant results had been achieved in the activities of WIPO committees and bodies. The Delegation hoped for progress in the IGC and expressed readiness to engage in constructive work in this regard. In order to strengthen the fight against piracy, "smart" electronic systems for the identification of control marks stapled to copies of copyrighted objects had been established for the first time in Azerbaijan and training in the form of "smart classes" had already begun. A collective management system based on the "one-stop shop" principle, for the protection of copyrights on the Internet, had been established and was expected to integrate its databases with the system to be launched by WIPO. Azerbaijan had appreciated and was relying on WIPO's support in this regard. The management of copyright, the protection of digital network rights and the apportionment of responsibilities for dealing with rights infringers and digital providers were significant challenges. Such tasks called for the creation of a global infrastructure and database at the international level. The Delegation expressed its confidence that the Assembly would achieve comprehensive coverage of all the important issues and that constructive dialogue would resolve any outstanding differences.

55. The Delegation of Sri Lanka aligned itself with the statement made on behalf of the Asia and Pacific Group. The Delegation welcomed the significant achievements of WIPO in the normative area including the conclusion of the Marrakesh Treaty in succession to the Beijing Treaty and was encouraged by the progress made in new ratifications for both treaties during this year. The Delegation noted the developments in WIPO's work and mainstreaming of the

DA. It was necessary to develop substantive discussions on the larger conceptual framework of development to ensure that IP regimes contributed to the socio-economic growth and development of countries. The Delegation also welcomed the finalization of the revised definition of “development expenditure”, an agenda item which had been pending for many years. Commendable as the progress made by WIPO was, the Delegation was concerned at the slow pace of progress on several outstanding issues in various standing committees. Sri Lanka attributed the greatest importance to the work carried out by the IGC and hoped to see expedited, consensual resolution of all issues related to the IGC, with a view to fulfilling its mandate. As a developing country, Sri Lanka believed that WIPO should consider, as a matter of priority in this General Assembly, reaching agreement on the renewal of the mandate and a decision on a new work plan for the IGC that also sets out a date for a diplomatic conference in this regard. While there had been notable progress in the negotiations regarding the draft DLT, further work was needed in reflecting the different levels of development of Member States in the text of the treaty. The progress being made on the broadcasting treaty was encouraging. A technologically neutral approach should be adopted with regard to the working document and the protection granted under the new treaty should be in line with the mandate vested in the SCCR in 2007. The Delegation recognized the significance of IP as an important tool for technological advancement as well as socio-economic development. Sri Lanka was currently integrating IP into national policy formulation, with special emphasis on innovation, science and technology and creativity as means of economic development and empowerment. In this context, the Delegation wished to place on record its sincere appreciation of the valuable cooperation extended to the Government of Sri Lanka by WIPO, which had worked with Sri Lanka to develop and support the implementation of a 10-point action plan, which could serve as a model to countries in a similar situation. Under this Action Plan, the National Intellectual Property Office of Sri Lanka had already established six TISCs that would facilitate access to a world-wide database of patents and aid the retrieval of technological information. It was also encouraging to note that Sri Lanka was currently ranked 85<sup>th</sup> of 141 economies in the world according to the Global Innovation Index of 2015. In 2014, Sri Lanka had been ranked 105<sup>th</sup> of 143 countries. The Coordinating Secretariat for Science, Technology and Innovation (COSTI) had already launched an on-line Sri Lankan Innovation Dashboard (SL-IDB) on Sri Lanka’s scientific landscape. It would encompass Sri Lankan patents, publications and resources and provide interested parties with a bird’s-eye view of the innovation ecosystem in the country. The Delegation was confident that this initiative would spur knowledge-based development and strengthen links with the international community. A three-day WIPO Workshop, on the theme “Making a Living in the Film Industry”, had been organized by WIPO in cooperation with the national IPO and the National Film Corporation of Sri Lanka (NFC) from December 15 to 17, 2014, in Colombo. Following this workshop, an assessment had been conducted by WIPO which provided a productive framework and a set of recommendations for advancing capacity-building in the areas of collective management of rights and copyright in the film and TV industries in Sri Lanka. Considering the increased potential of the tourist industry in the country since the end of conflict, Sri Lanka had also expressed interest in becoming one of the three pilot countries in the proposed WIPO CDIP project on IP and tourism. Following statements by the Government at the 14<sup>th</sup> and 15<sup>th</sup> Sessions of the CDIP, Sri Lanka had made a formal proposal to WIPO expressing its interest in being part of the pilot project. The Delegation looked forward to this opportunity. A national Steering Committee on Intellectual Property (SCIP), chaired by the Secretary of the Ministry of Industry and Commerce had been convened in July 2015 and a sub-committee was appointed to formulate the national IP policy. Based on a roadmap provided by WIPO, the Government would ensure the effective integration of IP into the Innovation Policy Formulation of Sri Lanka. This was consistent with the present Government policy of orienting the country towards a knowledge and innovation economy. Further development activities have been earmarked for implementation within the following three years under the 10-point action plan, including the following: reducing the backlog in the National Intellectual Property Office (NIPO); implementing a national strategy on Building Respect for Intellectual Property, to empower law enforcement agencies and enhance greater awareness among all sectors, including students and young people; preparing an Innovation

Index; organizing effective programs to uplift and strengthening Collective Management Organizations (CMOs) in order to protect rights of artists and creative industries, including film industry professionals; preparing a policy frame work for the protection of TK, GRs, folklore and TCEs, incorporating certain amendments to the national IP law for protection of geographical indications and the Voluntary Depositary System for Copyrights; proposing limitations and exceptions to amend the national copyright laws to facilitate access to published works for persons who are blind, visually impaired or print disabled, prior to ratifying the Marrakesh Treaty; facilitating amendments to the Intellectual Property Act No.36 of 2003 which aims to enable registration of “geographical indications” in Sri Lanka and safeguard the interests of the producers and exports of Ceylon Tea and Ceylon Cinnamon. During the 11<sup>th</sup> WIPO-SAARC Consultation Meeting on Cooperation in the field of Intellectual Property, which was held on September 25, 2015, Sri Lanka had highlighted the need to finalize the proposed Memorandum of Understanding (MoU) to strengthen mutual cooperation between WIPO and SAARC countries, which could not be taken up for consideration last year. The Delegation welcomed the cooperation extended by the Director General of WIPO at this meeting to encourage further review of this proposed MoU by the SAARC Secretariat, which would further contribute to the development of IP regimes in the region. Sri Lanka believed that regular meetings of heads of IP offices in SAARC countries organized by WIPO to enhance opportunities for exchange of experiences and best practices in the uses of IP in development would be helpful to discuss issues of interest to the group. As part of its ongoing cooperation with WIPO, Sri Lanka had been pleased to host an initial event in this regard. In conclusion, the Delegation looked forward to fruitful deliberations during this session and hoped to contribute to the discussions based on a constructive spirit.

56. The Delegation of Malawi stated that the Government of Malawi recognized the importance of comprehensive and clear IP policies to advance progress and innovation. That was reflected in the Government’s present strategy, which singled out IP as one of the major goals to be achieved by the Government for wealth creation and poverty reduction; Malawi could not make progress and innovate without a clear IP system. This was reflected by the Malawi Growth and Development Strategy (MODS) which is Malawi’s second medium-term development strategy. MODS II emphasized that culture and technological development were among the best tools for sustainable economic growth and infrastructure to meet Malawi’s Millennium Development Goals (MDGs). Malawi was grateful for the financial and technical assistance it had received and continued to receive from WIPO. In the year since the preceding Assemblies, Malawi had been able to carry out a number of activities with WIPO’s assistance. It had organized a seminar aimed at increasing awareness among policymakers of the importance of IPRs in the social and economic growth of the country. The Government had also organized a seminar on the PCT, at which WIPO and ARIPO were also represented. During that seminar, academics expressed an urgent need for WIPO, through the Registrar General’s Office, to tailor initiatives on the use of patent information in research for the benefit of that sector of the IP stakeholder cluster as it was acknowledged that there was a low level of awareness in education and research institutes. Local IP agents made a proposal to organize specialized IP training which would be of interest to all IP agents in the ARIPO region and provide a forum for networking and identification of challenges unique to IP. Malawi had also held a stakeholders’ workshop to validate its national IP policy in August 2015 and the recommendations from that workshop were being incorporated into Malawi’s draft IP policy. The Government of Malawi would be launching its National IP Policy and Strategy in the first quarter of 2016, and decided to join the Madrid Protocol. As part of the accession process, Malawi had organized a seminar in June 2015 with the technical and financial assistance of WIPO, which had made recommendations in preparation for that accession. These were that a learning visit be undertaken to a national ARIPO Office which was also party to the Madrid Protocol and that existing IT systems in the IPO be upgraded to accommodate the extra formalities. The Delegation observed that, again with the assistance and support of WIPO, Malawi had benefited from various seminars and workshops that had taken place since the preceding Assemblies, including the WIPO/CIPC Sub-Regional Workshop on Building Respect for IP in

Pretoria, South Africa for prosecutors and senior police officers of selected countries in Southern Africa; the workshop organized by the Japan Patent Office (JPO) under the Japan Funds-in-Trust program for Africa and LDCs; and a WIPO patent-drafting course for patent agents from ARIPO member states in Harare, Zimbabwe. The Delegation wished to express Malawi's gratitude and appreciation to WIPO for its continued assistance in improving IP infrastructure and human resources consistent with Malawi's needs and development priorities. Malawi supported WIPO and its mandate and looked forward to receiving further financial and technical support to enable its IP legislation to be modernized and to carry out successful IP programs for innovation, growth and development.

57. The Delegation of Mexico noted that the agenda of the Assemblies was complex. With regard to the renewal of the mandate of the IGC, Mexico stressed the need to take a decision that would allow that body to continue functioning, relying on the work done by its Facilitator. As for the approval of the draft Program and Budget for the 2016-2017 biennium, the Delegation had been facilitating constructive discussions and hoped that an acceptable compromise could be reached, as GRULAC had already mentioned. In the Delegation's view, adoption of the budget should not be conditioned by approaches with systemic implications for the Organization's functioning. With regard to WIPO external offices, the Delegation recognized the need for prior definition of guidelines for the establishment of such offices and would support any steps for the immediate finalization of such guidelines. Mexico wished to restate its interest and ability in hosting an external office. As for the 2030 Sustainable Development Agenda, the Delegation agreed that it was important to identify the objectives to be reached within the WIPO framework and promote activities for their achievement. The Delegation was concerned by the lack of adequate geographical representation among WIPO staff members, which was why it intended to participate in the corresponding debate that would be held in the Coordination Committee. Mexico had recently deposited the instrument of ratification for the Marrakesh Treaty, which the Delegation had actively promoted. It added that it would work towards the Treaty's prompt entry into force and invited those countries that had not yet done so to accede to the Marrakesh Treaty. Stating that IP was a tool that should further countries' economic development, it listed some of the initiatives taken by Mexico: support for the WIPO Academy hosting summer courses; technical cooperation activities in Latin America and other regions; the provision of assistance through the Mexican Industrial Property Institute to 31 Latin American and African countries with the processing of patent applications using the CODAPACK system; and the translation into Spanish of the Nice Classification of Goods and Services for the purposes of trademark registration. In that connection, the Delegation reported that the Government of Mexico had received the 2015 United Nations Public Service Award, in recognition of the excellence of the Express Author initiative implemented by the Mexican National Copyright Institute (INDAUTOR).

58. The Delegation of the United Arab Emirates congratulated the Chair on his election and expressed confidence in his able leadership. It was pleased to take part in such an outstanding forum that promoted creativity and innovation. IP was of paramount importance to the United Arab Emirates and a fundamental component in its national economic policy. Under a clearly defined national strategy spanning up to 2021, creativity and innovation were placed at the center of economy. To that end, the National Innovation Committee (NIC), a top-level ministerial body was established. The Delegation said that the country was keen on promoting IP and its central role in strengthening the attractiveness of the business environment. The country also adopted best practices for IP protection, given the essential role it played in stimulating creativity and innovation and building a sustainable knowledge economy. Such was one of the country's top priorities for 2015, the Innovation Year in the United Arab Emirates. Regarding innovation, the Delegation highlighted that, thanks to recent national efforts for sustainable and competitive economic growth under its 2021 strategic vision, the United Arab Emirates ranked among the first countries in Western Asia, North Africa and globally in the Global Innovation Index (GII 2014). A modern IP system required a strong legislative framework that would ensure protection for both public and private interests. In this regard, the

United Arab Emirates made huge progress in building an advanced legislative environment to rank among the most advanced countries in the world in terms of legal environment. The Delegation considered legal development as the right means to reaffirm the rule of law, strengthen protection of investment in innovation and increase competitiveness for further economic growth. In the lead for modernizing its IP legislation, the United Arab Emirates sought to ensure conformity with international treaties, as with the WTO TRIPS Agreement and other WIPO treaties. The Delegation emphasized that its country always endeavored to promote cooperation in the field of IP as an essential component in discussions with other countries and a regular agenda item for joint commissions, notably with developed countries. As a further step towards adopting best practices in the field of patents and technology, the United Arab Emirates had signed, in 2011, a Memorandum of Cooperation with WIPO on IPAS, and became the first Arab country to use IPAS. In 2012, an electronic IP complaint service was launched. The Delegation assured that it was open to all proposals to enhance the global IP system. In that regard, the country had signed a number of agreements with various countries in the field of IP, including Austria, Canada, South Korea and the United States of America. In addition, various visits were organized in Europe and Asia to learn about national experiences. In conclusion, the Delegation looked forward to strengthened future cooperation among WIPO Member States and wished all the success for these meetings.

59. The Delegation of the United States of America said that it endorsed the statement delivered by the Delegation of Japan on behalf of Group B. It welcomed the appointment of a new Chief Ethics Officer, looked forward to engaging constructively with her Office, and approached the numerous Assemblies with a constructive spirit aimed at achieving consensus solutions that would advance the Organization's objectives, including cooperation among its Unions. During the July and September 2015 meetings of the Program and Budget Committee, it had made clear its support for the Organization's draft proposed Program and Budget for the 2016-2017 biennium but had withheld its approval of that document for reasons relating to the Lisbon Union's lack of financial responsibility and, specifically, its failure to fund itself as required under the relevant Agreement. It was to be hoped that the Union would address that issue during the current week so that the draft proposed Program and Budget could be adopted by consensus. The Union's projected deficit for the biennium was quite small and available funds could cover it adequately; among other things, the Madrid Union's surplus could be disbursed to its members, some of whom were also members of the Lisbon Union. However, the Delegation remained concerned about a larger issue that lay at the very foundation of the Organization, that of cooperation among the various Unions administered by WIPO; when one Union took action inconsistent with that cooperation and, indeed, with its own treaty obligations, the Delegation felt compelled to object in the name of good governance, accountability and transparency for the sake of the Organization as a whole. It was also concerned about the diversion of WIPO's resources by a small group representing less than one-sixth of the total membership. One of WIPO's strengths was that while its members did not see eye to eye on all issues, they generally strove to find ways to work towards consensus solutions, even on difficult issues where broad consensus did not yet exist. The protection of geographical source identifiers was one such issue; unlike many previous speakers, the Delegation believed that the Geneva Act was illegitimate. Moreover, the broader membership's agreement was required in order for the Act to be administered by WIPO. United States of America stakeholders believed that the Lisbon Agreement and its Geneva Act would have a negative impact on them because the protection of geographical indications established therein was trade-distorting. It was therefore unfortunate that the Lisbon Union had chosen to circumvent the slow but unifying process of consensus-building. Faced with serious questions as to why and how United States fees and contributions were being required to subsidize a system the adoption of which the State had opposed and which was so harmful to national trade, the Delegation could not support a framework under which the Lisbon System was permitted to carry a deficit covered by other Unions. It hoped that agreement could be reached on ensuring that the system became self-sustaining; finding a new approach to GI protection that was balanced, accommodated varying approaches and allowed the participation of all WIPO Member States; and ensuring

that the entire membership had a say in deciding whether or how the Secretariat administered the Geneva Act. Although some WIPO Members States and observers had expressed concern that the administration of other newly-concluded WIPO agreements could be blocked, the Delegation was confident that such agreements would enjoy broad support because they would be negotiated and adopted through open diplomatic conferences with the full participation of the membership. It supported the use of PCT revenue to support the overall activities of the Organization because those activities had had the continuous support of the full membership. It objected only to the use of such revenue to support the Lisbon System, which, by its own Agreement, was required to be self-funding and which had recently been expanded without the broad consultations for which WIPO had long been respected. In contrast, the Madrid and Hague Systems represented global consensus solutions. The Delegation's proposals would not entail an increase in the unitary contribution because Organization's "global protection services" that were truly global – namely, the PCT, Madrid and Hague Systems – continued to grow in popularity and generated the bulk of the funding for WIPO's non-registration activities. Furthermore, noting that the text-based negotiations launched in 1990 within the framework of the IGC had merely driven the members farther apart and produced unworkable texts, the Delegation proposed the establishment of an expert working group to find common ground on objectives and principles and believed that, in the absence of a tangible result supported by all members, consideration of a diplomatic conference was premature. It was pleased with the progress made by the SCCR during the 2014-15 biennium and, with respect to the draft treaty on the protection of broadcasting organizations, believed that there was growing support for establishing a single right to authorize real-time retransmission of the broadcast signal to the public over all platforms, including the Internet. During the next biennium, it would work actively to address the outstanding unresolved issues on the protection of broadcasting organizations with the goal of developing a sufficiently mature and acceptable text to recommend the convening of a diplomatic conference. The Delegation was also an active participant in the Committee's work on copyright exceptions and limitations for archives and libraries, educational and research institutions and persons with disabilities other than visual impairment. In particular, it appreciated the constructive engagement of other delegations with two United States of America proposals that set forth principles and objectives to assist national policymakers when enacting or updating national copyright exceptions for libraries, archives and educational activities and looked forward to elaborating and advancing such an approach during the next biennium.

60. The Delegation of Zimbabwe believed it was possible to reach concrete decisions on key issues, particularly the pending normative issues. It urged the Director General to work hard to ensure WIPO continued its efforts to build a global IP system of benefit to all Member States. Zimbabwe aligned itself with the statement made by the Delegation of Nigeria, on behalf of the African Group. WIPO's normative work in TK, GRs and TCEs was an important area requiring renewed and urgent commitment by all Member States. It was regrettable that years of discussion had not led to consensus on an international legal instrument for the protection of TK, GR and TCEs. Nevertheless, the Delegation hoped sincerely that focused and constructive discussions would take place during the meeting with a view to reviving the IGC by transforming it into a standing committee, in line with the proposal of the African Group. The Delegation applauded the work of WIPO's CDIP in implementing the DA recommendations. A few weeks earlier, Uganda had launched a DA program, aiming at building capacity in the use of appropriate technology, specific technical scientific information, with a view to addressing development challenges. The continent stood to benefit from such projects as they helped develop national technological capacities; the Delegation, therefore, hoped that several other countries would also benefit from such projects in the coming years. Zimbabwe had finally acceded to the Madrid Protocol, having deposited the accession instrument on December 11, 2014, with entry into force on March 11, 2015. The Delegation thanked the WIPO Secretariat, particularly its Madrid Section, for the assistance and support received right along the accession path. It also thanked the WIPO Secretariat and the Regional Bureau for Africa for the technical assistance and support provided to Zimbabwe in the context of creating the recently validated

national IP policy, which would help integrate IP issues into the national development process. Zimbabwe attached great importance to the promotion and protection of human rights, particularly in upholding the rights of persons with disabilities, and its Government had therefore initiated ratification of the MVT/Marrakesh VIP Treaty. The Delegation continued to value the technical assistance provided by WIPO to various IP institutions in Zimbabwe under current bilateral programs. It was also grateful to WIPO for the excellent cooperation with ARIPO which had benefitted the region greatly in terms of IP services as well as training. There was particular appreciation for the collaborative and steadfast support of WIPO and ARIPO to the regional IP Masters Program, hosted by the Africa University. The program continued to command international respect, and demand for it in Africa was on the rise. Zimbabwe therefore counted on WIPO's continued support, as the program was crucial to the advancement of IP education and the promotion and protection of IP rights in Africa. In the same vein, the Delegation called for increased resources to be allocated to the WIPO Academy, enabling it to fulfill its mandate. Zimbabwe would continue to cooperate with the Secretariat and other Member States to create a more effective IP system at the international level, and build respect for IP for the benefit of rights holders and the population at large.

61. The Delegation of Poland associated itself with the statements made by the Delegations of Luxembourg, on behalf of the European Union and its member states, and Romania, on behalf of the CEBS Group, and noted with satisfaction the numerous achievements outlined in the Program Performance Report (PPR). The Delegation encouraged the Secretariat to further improve and enhance its efforts and activities so as to maintain the viability and efficiency of the Organization. Poland appreciated the positive developments in the effective functioning of the international IP registration and filing systems operated by the International Bureau and welcomed the growth of the international registration systems under the PCT, the Madrid Agreement Concerning the International Registration of Marks and its Protocol, and the Hague Agreement Concerning the International Registration of Industrial Designs. The work of the PCT Working Group had contributed to the further improvement of the PCT System to the benefit of both users and industrial property offices. As a member of the future VPI, Poland hoped to contribute to the proper functioning of the system by providing high-quality services to users in Poland and other countries who sought to appoint the VPI as an International Search and Preliminary Examination Authority, and counted on the full support of WIPO Member States for the VPI initiative. Poland welcomed the progress made during the 22<sup>nd</sup> session of the SCP and called for faster progress in the committee's work. The Delegation hoped that the SCP would follow a balanced work program including the international harmonization of patent law. Poland considered that the main priority of the SCCR should be to finalize the proposal for the treaty on the protection of broadcasting organizations and allow for the early convening of a diplomatic conference. Ensuring adequate international protection for broadcasting organizations was a pressing need and adapting protection to the 21<sup>st</sup> century was long overdue. Poland supported broadcasters' calls for a global solution to signal piracy. Media development was a key element of social cohesion, political pluralism and cultural enrichment in all societies. With regard to the SCT, Poland hoped that the Assemblies would set a date for a diplomatic conference on the designs formalities treaty in 2016, since the negotiated text was mature. The crucial issue of technical assistance should be included and resolved as soon as possible by the parties involved. Poland was flexible on the format of such inclusion. Any other outstanding issues could be discussed at the diplomatic conference itself. Poland was strongly convinced that the treaty would be beneficial to Member State businesses wishing to operate abroad. Simplifying and aligning application procedures would render the Hague System for the International Registration of Industrial Designs more effective and significantly contribute to reducing export costs and formalities. Poland recognized the importance of the technical work of the CWS, which should not be politicized. Given the potential importance of its deliberations, all parties should seek a consensus on the organizational and special rules of procedure of the CWT. Poland attached great value to building respect for IP rights and hoped for more effort by WIPO in this area. Appropriate prevention and enforcement mechanisms were indispensable for an efficient IP system. Poland had strongly supported a broad program of work for the



Advisory Committee for Enforcement (ACE), sharing its experience with other Member States. Accordingly, Poland was in favor of annual ACE meetings and considered that there was a strong need to develop the awareness part of the ACE mandate with concrete proposals for awareness-raising activities. Poland fully supported the draft Program and Budget 2016-2017 proposed by the Secretariat and the amendments agreed during the two previous PBC sessions. All outstanding issues should be resolved during the 55<sup>th</sup> session of the Assemblies. Poland reaffirmed its support and commitment to the appropriate implementation of the DA recommendations. WIPO's technical assistance and capacity-building in cooperation for development should be based on transparency, good governance and best practices to ensure optimal added value. There was a clear need for further technical assistance and capacity-building to developing countries and LDCs. Poland recognized the importance of the work of the IGC and remained willing to work towards an appropriately balanced and flexible outcome. It would wait for the Facilitator's proposals before considering next steps. During the previous year, the Polish Patent Office had continued to focus on promoting industrial property by organizing conferences, seminars, workshops and training events for institutions and professions, with a focus on the latest industrial property protection issues in various aspects. As a special initiative, Poland had organized in 2014 a competition for young inventors and constructors, which had enjoyed great popularity. The Polish Patent Office continued the implementation of a special project, Supporting Effective Use of Industrial Property in an Innovative Economy, for SMEs, business support institutions, patent attorneys and other stakeholders in the protection and use of industrial property, with a view to stimulating the use of industrial property rights in the development of the Polish economy. Poland welcomed Georgia as a new member of the CEBS Group at WIPO and was particularly grateful for the support of WIPO's Department for Transition and Developed Countries.

62. The Delegation of Ethiopia associated itself with the statement delivered by the Delegation of Nigeria, on behalf of the African Group, as it strongly believed technology to be one of the key enablers in ensuring inclusive and sustainable development for all, regardless of the level of economic progress and choice of path. It also understood that suitable technologies, particularly for developing nations like Ethiopia, must be cost-effective, clean and complementary to development efforts where they were being applied. It was noted with deep appreciation the support of WIPO and its dedicated staff in enabling Ethiopia to sign an MoU with WIPO on the use of appropriate technologies. A national expert group had also been established, buttressing the strategy already begun with the establishment of a national start-up academy, an IP advisory and information center and a technological information center. Ethiopia looked forward to WIPO's final preparations for the first national innovation and IP policy and strategy meeting. Ethiopia had always accorded great importance and high value to the protection of its GRs, TK and folklore. Effective protection of GRs played a critical role in promoting the transformative DA that Ethiopia had been pursuing and would continue to follow. Misappropriation or illegal use of those resources and the lack of an international legal framework regulating their use and benefits would undoubtedly affect rightholders, resulting in great economic loss for a country like Ethiopia. To that end, the Delegation strongly supported the adoption of legally binding instruments to protect GRs, TK and TCEs so that the gap at the international level would be closed, for the benefit of all. The continuation of the mandate of the IGC for GRs, TK and folklore was therefore crucial to ensure further substantive discussions on the actual texts in the international instrument envisaged for effective protection. Ethiopia supported the mandate of the IGC with a view to finalizing the negotiations on the text, thereby avoiding the significant amount of time wasted in negotiating a new mandate. That would enable the IGC to perform extensive work aimed at finalizing the draft text and promoting the protection of its objectives. That was also why Ethiopia continued to support the facilitation initiated to resolve differences among various groups and the Delegation hoped that decisions would be adopted during the meeting to enable resumption of the IGC's work.

63. The Delegation of Panama endorsed the declaration made by the Delegation of Brazil on behalf of GRULAC, stating that Panama had taken up the major challenge of raising the profile of IP nationwide and highlighting its importance in all sectors of the national economy. It had focused on protecting research findings, strengthening enforcement measures and promoting the trademark and patent system for micro, small and medium enterprises (MSMEs) by, *inter alia*, boosting the dynamism of the Directorates for IP and Copyright. In accordance with the decisions taken and the goals set at meetings of IP ministers, Panama had formulated a national IP strategy which was in the final stages of adoption prior to implementation. Panama would be hosting the fifth IP Ministerial Meeting for Central America and the Dominican Republic in the first half of 2017. Accordingly, the Delegation invited the Director General to attend that important event and to set up a working team that would make the necessary arrangements to ensure the meeting's success. It thanked the Secretariat for WIPO's assistance with different training activities and other projects, such as the sub-regional seminar on the patent system in November 2014; WIPO's support to Palmira coffee producers who were able to market their coffee directly for the first time after having registered their collective mark; the practical workshop for indigenous peoples from local communities of Central and South America on IP, TK and TCEs; and the upcoming practical training workshop for academicians and researchers on the transfer of knowledge and marketing of IP, to be held in November 2015. During Panama's 11<sup>th</sup> International Book Fair, in which Mexico participated as a guest country, the 10<sup>th</sup> National Copyright Seminar had also taken place. This high-level WIPO -coordinated event had attracted high-level experts as well as authors, educators and publishers. The Delegation urged the Organization to continue reviewing the regulatory arrangements for the holding of WIPO meetings, ensuring that such arrangements were inclusive, open and multilateral to guarantee that all WIPO Member States participated with full rights. It stressed the need to work on guidelines that ensured fair geographical representation among WIPO staff. In relation to the CWS, the Delegation emphasized the need to find solutions for the DA in order to resume progress on work that had been suspended in several committees. The Delegation expressed its satisfaction at the appointment of an official to deal with issues of professional ethics. It underscored the importance of continuing work on the guidelines for the establishment of WIPO External Offices, noting that any such process had to be driven by Member States. Finally, the Delegation reiterated Panama's desire to host a WIPO External Office in the near future.

64. The Delegation of the Lao People's Democratic Republic expressed the hope that WIPO would continue working with Member States to further develop balanced global IP systems that would enable all countries to boost their national economic development. However, the Delegation was concerned with the current impasse on certain issues including TK and TCEs, the protection of broadcasting organizations and external offices. It was in support of a balanced outcome and hoped that Member States would be able to reconcile their differences, build a consensus and make improvements as quickly as possible. The Delegation welcomed the remarkable progress made by WIPO in the past year and thanked the Organization for the consistent technical assistance provided to the country in its registration operations and capacity building for SMEs. Furthermore, the Delegation hoped that its country would continue benefiting from such technical support. Meanwhile, the Lao People's Democratic Republic was continuously improving its IP administration and making its IP system more responsive to the changing regional IP landscape. It expected to become the fifth Association of Southeast Asian Nations (ASEAN) member to accede to the Madrid Protocol by the end of 2015. To attain that goal, it would work closely with WIPO in formulating its national IP strategy, which would define its commitment, not only to its membership of the global IP system, but more importantly, to making the system more responsive to the needs of its people.

65. The Delegation of New Zealand recalled its participation in various WIPO meetings and fora in 2014 and highlighted the importance of the Madrid fellowship that enabled a New Zealand trademark examiner to gain valuable experience working in the Madrid Processing Team in Geneva. It drew Member States' attention to the fact that New Zealand's new Patents

Act had entered into force in September 2014. One feature of that Act was the establishment of a Patents Māori Advisory Committee that would provide advice to the Commissioner of Patents on whether the commercial exploitation of an invention for which a patent had been sought would involve the use of TK or of indigenous flora and fauna in a way that would be contrary to the values of the indigenous people of New Zealand. It also highlighted the work of the Trademarks Māori Advisory Committee which had been operating since 2003 and whose members would bring collective knowledge and experience to such a sensitive and important area. It added that the Government of New Zealand government had also decided to update and implement legislation relating to the registration of geographical indications for wines and spirits. The Registration Amendment bill was due to be introduced into the New Zealand Parliament towards the end of 2015 and would provide that a geographical indication could not be registered if it were likely to offend a significant section of the community, including the Māori. Such efforts symbolized the commitment of the Government of New Zealand to find ways and means in which the IP system could take into account the concerns of indigenous people. It reaffirmed its commitment to the IGC, where Member States came together to seek meaningful and workable solutions for TK-related issues and looked forward to working constructively with other Member States on the renewal of the IGC's mandate. It also informed Member States of the increased application filing volumes, particularly in relation to trademarks and patents and the continued positive uptake by New Zealand businesses of the Madrid Protocol System to file trademarks around the world. It further highlighted the work of the Intellectual Property Office of New Zealand (IPONZ) in sharing its knowledge and experience with other Member States in order to enhance their IP operations. IPONZ had hosted five trademark examiners from the Intellectual Property Corporation of Malaysia to support Malaysia's implementation of the Madrid Protocol. An IPONZ representative had also visited Cambodia to share with ASEAN officials and Cambodian trade mark examiners New Zealand's operational experience with regard to implementing the Madrid Protocol. Finally, it confirmed its willingness to work with WIPO and the Member States to deal with the challenges and opportunities related to the international IP system and to promote innovation and development across all economies.

66. The Delegation of Guatemala endorsed the statement made by the Delegation of Brazil, on behalf of GRULAC. It recognized the key role IP played in countries' economic development, which was why Guatemala had launched a National Intellectual Property Strategy in June 2015. That process enjoyed WIPO support in terms of preparation and future implementation and was designed to serve as a framework for drafting policies conducive to proper use of the IP system in Guatemala. The Delegation expressed appreciation for WIPO's norm-setting efforts, geared to the establishment of multilateral negotiating fora with a view to the creation and implementation of legal instruments that addressed the concerns of Member States and met their needs. In that connection, it was necessary to renew the mandate of the Intergovernmental Committee; establish a future work program with regard to the debate on exceptions and limitations for libraries and archives and educational and research institutions within the SCCR; and continue strengthening technical assistance for the ratification and implementation of the Marrakesh Treaty. The Delegation emphasized the need to finalize adoption of the draft Program and Budget for the 2016-2017 biennium, which was essential to the realization of the Organization's strategic goals and projects for the benefit of the Member States. It underscored the importance of programs relating to copyright, development, innovation and technology transfer, the WIPO Academy, patents and databases, SMEs and governance. The Delegation thanked WIPO for its support and cooperation with regard to technical capacity-building, project formulation and ongoing training for the Guatemalan Patent and Trademark Office and for the sectors involved in the various IP fields. It reiterated its willingness to keep working to meet the goals and targets set by the Organization for the next biennium. The Delegation planned to follow closely the debates during the 2015 Assemblies, to which it hoped to make a constructive contribution, with a view to arriving at concrete agreements that would benefit the millions of people who believed and trusted in IP.

67. The Delegation of Singapore stated that 2015 was of special significance for the country. In addition to its Golden Jubilee, it was also the year Singapore started operations as an International Authority under the PCT. Indeed, the preceding year had seen an increase of 4.5 per cent in global PCT filings, a strong endorsement of the good work of WIPO in supporting innovations from around the world. The Delegation looked forward to supporting WIPO in meeting the growing global demand for PCT services from emerging markets in Asia. Singapore's location in Asia and its R&D focus had enabled it to put together a highly qualified examination team with a good spread of Asian language capabilities. The Delegation thanked members of the PCT Union Assembly and announced that, with the support and endorsement garnered at the last General Assembly, the Intellectual Property Office of Singapore had undertaken the role of International Searching and Preliminary Examining Authority (ISA/IPEA) on September 1, 2015. Patent applicants from ASEAN, Japan and Mexico would be amongst the first to enjoy Singapore's new services as an ISA/IPEA. The Delegation was delighted to report that as of September 30, 2015, it had received more than 30 patent applications utilizing this Service. It stood ready to work closely with WIPO and other International Authorities to strengthen the PCT System, and to raise the quality of PCT search and examination work. With the support of ASEAN and its dialogue partners, Singapore had had the privilege of chairing the ASEAN Working Group on Intellectual Property Cooperation (AWGIPC) for the preceding two years. It expressed thanks to WIPO for the strong support over this period. A successful stocktaking of the current five-year Action Plan had been conducted, and the working group had accomplished more than 80 per cent of its 108 initiatives. Among the achievements were the accession to WIPO Treaties by ASEAN member states, of which eight out of the 10 had become party to the PCT, and four to the Madrid Protocol, to be followed shortly by the rest of the IP offices in ASEAN. Seven ASEAN member states had adopted the WIPO-CASE System to enhance patent work sharing in a secure and expeditious manner. These efforts worked in tandem with other highly successful regional initiatives such as the ASEAN Patent Examination Cooperation (ASPEC) program and ASEAN TMview, which had been made available online through the ASEAN IP Portal. WIPO's involvement had been instrumental in the development of the IP ecosystem in ASEAN. During Singapore's chairmanship, there was particular gratitude for WIPO's support in formulating the ASEAN IP Rights Strategic Action Plan (AIPSAP) for 2016-2025, which would expand the range of services provided to the region's IP community. Beyond raising the quality and timeliness of IP applications, stakeholders could expect the establishment of an IP marketplace, a virtual IP academy and the provision of an ASEAN helpdesk, amidst other ambitious and important targets. It had been a privilege and an enriching journey for Singapore to work with ASEAN and dialogue partners like WIPO in deepening IP cooperation at the time when the region established the ASEAN Economic Community in 2015. Even as it handed over the chair to Brunei Darussalam, Singapore remained committed to working closely with WIPO to implement the new 10-year IPR Action Plan with the aim of developing a balanced and effective international IP system in ASEAN, one that enabled innovation and creativity for the benefit of all. Singapore had helped to advance WIPO's agenda in ASEAN by continuing to be fully supportive of WIPO's normative agenda both at the regional and national level. The Delegation was pleased to announce that Singapore had acceded to the Marrakesh Treaty and that on March 30, 2015, amendments had been introduced to the Copyright Act to allow the visually impaired community better access to copyrighted works. The Delegation urged more Member States to come forward and join this meaningful endeavor, and looked forward to the entry into force of the Treaty. These normative and developmental outcomes in the region had been made possible by the unequivocal support of WIPO, in particular through the WIPO Singapore Office. With funding from the Government of Singapore, the Delegation was pleased to work with the WIPO Singapore Office to continue delivering quality technical assistance programs and capacity building activities to the region in the coming year. To date, Singapore and WIPO had jointly trained some 500 officials from over 24 countries in the Asia-Pacific region and the Middle East under the Singapore Cooperation Program at the WIPO Singapore Office. In 2014 alone, the Office had conducted some 20 technical assistance activities and 11 study visits covering areas such as IP administration systems, accession to WIPO Treaties and copyrights. IP Week@SG 2015 had welcomed more

than 2,000 visitors to a variety of events, with delegates from nearly 40 countries and a record 20 Heads of IP Offices. This would not have been possible without the committed support of Asia-Pacific IP stakeholders, WIPO Singapore Office, WIPO Asia-Pacific Bureau and most importantly Mr. Francis Gurry, Director General, for the time he spent sharing his insights on the IP development trajectory. The Mediation Seminar had been oversubscribed and the participants had gained important learning about the potential of mediation in IP disputes through case studies and experience sharing by the panel. As an early adopter, Singapore would continue to promote the mediation and expert determination options offered under collaboration with the WIPO Arbitration and Mediation Center. During the same period, Singapore also played host to WIPO's 2<sup>nd</sup> Heads of Intellectual Property Office Conference (HIPOC) involving countries from South Asia and Southeast Asia. The WIPO Singapore Office had made it possible for WIPO to reach the wider IP community in both ASEAN and the Asian region. Reaffirming Singapore's strong commitment to the international IP regime, the Delegation referred to the country's position as the seventh most innovative nation in the Global Innovation Index 2015 (GII, 2015), which was testament to its pursuit of excellence in the promotion and protection of innovation. The achievement would not have been possible without the strong support of WIPO and Singapore's overseas partners, including some 23 IP offices with which it had become connected through the Patent Prosecution Highway (PPH), including recently the EPO. As it began operations as an International Authority under the PCT, it looked forward to the continued support of the WIPO General Assembly. The Delegation also reaffirmed Singapore's commitment to WIPO, the WIPO Singapore Office, and its fellow IP Offices in building a business-friendly and pro-growth IP ecosystem.

68. The Delegation of Germany aligned itself with the statements made by Group B and the European Union and its member states, and noted that IPRs were essential legal, economic and cultural assets for businesses and for society as a whole. Such rights were a complex issue debated passionately on a daily basis in the news and worldwide. WIPO faced the challenge of providing an adequate response to these issues and fulfilling its mission to promote and protect IP in order to ensure sustainable development and generate wealth. It was and would continue to be a major and delicate task to refute the constantly-raised concern that WIPO favored certain groups, and to demonstrate repeatedly that WIPO's abiding objective is to find the optimal balance between rights holders and various segments of society, including in the health and environment sectors. Germany supported a robust and appropriate international IP framework that struck a balance between disparate interests and concerns, encouraged innovation, and fostered the development and transfer of technology. All stakeholders would benefit from a simpler and more harmonized international framework that included substantive provisions, *inter alia*, on copyright law, patent law and trademark law. WIPO, as the guardian of global legislation and harmonized practices, should keep such harmonization of legal concepts on its agenda. Germany attached great importance to the seamless functioning of WIPO registration services which performed the core activity of the Organization and were its main source of income. German users filed a high number of applications and greatly benefitted from this service. Deliberations within the SCCR had demonstrated that the international harmonization of legal concepts in this area was a complex task that required time and dedication on all sides. However, if Member States closed ranks in a common resolve to strike a fair balance between all interests involved, WIPO would continue to provide an ideal framework for achieving positive results. Germany was committed to improving the protection of broadcasting organizations by reaching a consensus on an international treaty that also covered modern technologies. Current protection had to be updated to address present and emerging technological issues. Consequently, Germany would actively support the SCCR's efforts in a bid to advance text-based work on an international treaty for the protection of broadcasting organizations. A roadmap was needed to guide future discussions, and Germany supported the convening of a diplomatic conference in the 2016-2017 biennium to discuss the matter. It was also keen to share national experiences on exceptions and limitations for certain organizations and purposes and for persons with disabilities, other than print disabilities. However, Germany did not see the need for a legally-binding international instrument on this

matter, but expressed interest in the legal mechanisms of other Member States. Nevertheless, it would be useful for the General Assembly to provide more clarity on the expected outcomes of discussions on exceptions and limitations. The Delegation opined that patent law had been of theoretical and practical importance since the beginning of international IP cooperation and the founding of WIPO as an international IP agency. Users of the patent system worldwide were calling for the enhancement of the patent system, and WIPO and the SCP should heed that call. Although Germany was satisfied with the SCP's work on major issues, the committee needed to maintain a balanced agenda that properly reflected the various issues raised for discussion. Germany was keen to continue work on issues of patent quality, including opposition systems and the confidentiality of communications. Further work in this area would be beneficial to all countries, irrespective of their level of development, since it would enhance the credibility, reliability and stability of the international IP system. Although the Delegation to the SCP was, and would continue to be, engaged in the issue of patents and health, it wished for the efforts and activities of other WIPO committees and Geneva-based international organizations in this area to be fully respected. While recognizing the importance of exceptions and limitations to patent rights, the Delegation believed that further work in this area should yield an appropriate balance between the interests of rights holders and the general public. In future, the SCP should avoid lengthy debates on agendas and procedure in order to focus on substantive matters. The latest figures on the number of applications filed under the PCT had revealed the relevance of the PCT System to the promotion of innovation and wealth. The PCT remained a key mechanism for expanding a functioning patent system in an ever more globalized world. As a highly patent-active state, nationally and internationally, Germany appreciated the functioning of the PCT System. In 2014, the German Patent and Trademark Office processed 6,042 international applications – more than the previous year – including over 85 per cent filed by applicants from outside Germany. Hence, Germany remained committed to all necessary further developments in the PCT System and encouraged all WIPO Member States to take advantage of the system. The recent PCT Working Group, thanks to its constructive spirit, had made good progress in dealing with the necessary adjustments to the PCT rules that led to fruitful, technical discussions. As to the 32<sup>nd</sup> and 33<sup>rd</sup> sessions of the SCT, the Delegation noted that negotiations on the DLT had reached a dead end, regretting this as a lost opportunity since the treaty had been mature and ready for adoption some time ago. A multilateral agreement would enhance the protection of designs, thereby boosting innovation and creativity and contributing to market order worldwide. The Delegation saw no point in convening a diplomatic conference under the circumstances, but noted that Germany remained open to reasonable proposals on the matter. It congratulated the Lisbon Union and the WIPO Secretariat for successfully revising the Lisbon System to make it more attractive, efficient and sustainable, stating that the protection of geographical indications ultimately protected regional TK for both agricultural and non-agricultural products. Germany recognized the importance of the work carried out by the IGC, but noted that, over the last 15 years of active participation and despite numerous discussion leading up to the text-based negotiations of the last five years, no agreement had been reached on the objectives and principles, goals, beneficiaries, scope, key definitions and other elements in the texts under discussion. It therefore concluded that the IGC would not succeed in such text-based negotiations and that other alternatives should be considered since carrying on with the usual methods would simply amount to a waste of time and resources for WIPO and IGC delegations. Consequently, Germany was of the view that the IGC's mandate should not be renewed, and that a round of seminars and studies be conducted to gather and exchange evidence-based information on various regional or national experiences, and to broaden common understanding of the nature and scope of the public domain and its relationship to GRs, TK and TCEs. It was also open to discussion of the proposal by the United States of America to establish an *Ad-Hoc* Experts Working Group (WO/GA/47/17). Germany remained fully committed to supporting development, especially under the United Nations 2030 Agenda for Sustainable Development, but noted that continued implementation of the 45 DA recommendations should be balanced and consensus-driven. The Delegation welcomed the achievements of the CDIP as regards the Independent Review of the Implementation of the Development Agenda Recommendations and the International

Conference on Development and Intellectual Property, and also noted the progress and positive evaluation of several projects. However, it regretted that discussions were stuck on a number of issues that consumed CDIP time and resources and hoped that the constructive spirit exhibited in past CDIP sessions would lead to the resolution of these difficulties in the near future. Given the success of past meetings of the ACE, the Delegation looked forward to the 10<sup>th</sup> session scheduled for November, expressing the view that the effective protection of IP implied a good framework for enforcement and that the challenge was to find solutions which catered to all interests in a balanced manner. The Delegation appreciated the fact that such balance had been reflected in the selection of speakers and hoped that the ACE would continue to contribute to a comprehensive discussion on the technical aspects of IP enforcement. Germany supported the idea of a small, limited, strategically positioned and geographically representative network of WIPO External Offices that lent true added value to the Organization's work. Furthermore, it was in the interest of WIPO and its Member States to establish clear criteria and procedural mechanisms for a possible future extension of this network. The Delegation welcomed the progress achieved on the Guidelines and was ready to engage in further constructive discussions. Germany was of the opinion that careful consideration be given to the key topic of good governance within WIPO and its leadership, focusing on transparent and clear management structures and readily comprehensible decision-making processes. Member States should engage in in-depth discussions to find balanced and sustainable solutions under the Convention. A starting point could be the management of meetings, especially the reduction of their frequency and the accompanying documentation. The German Patent and Trade Mark Office (DPMA) and WIPO had organized another "WIPO Roving Seminar" in Stuttgart in July 2015, held an advanced training course in Munich on patent search and examination in the field of biotechnology for patent experts from developing countries in October 2014, and scheduled the next course in Kuala Lumpur in October 2015. DPMA had maintained strong relations with its partner offices at both leadership and operational levels. It had continued its successful patent examiner exchange programs, sending several patent examiners to the Korean Intellectual Property Office (KIPO), the JPO, the UK Intellectual Property Office (UK IPO) and the Intellectual Property Office of Singapore (IPOS), and receiving patent examiners from the JPO in March 2015, and expecting others from the State Intellectual Property Office of the People's Republic of China (SIPO) and KIPO in October 2015. Examiners from Brazil and Saudi Arabia visited the DPMA, and two DPMA patent examiners participated in an international examiner workshop at the Canadian Intellectual Property Office (CIPO) in 2015. In October 2014, the DPMA had hosted the Third Information and Communication Technology (ICT) Road Map Meeting, with attendees from WIPO, the Office for Harmonization in the Internal Market (OHIM) and other partner offices, to discuss several IT-related aspects such as WIPO-Digital Access Service (DAS), WIPO-CASE and ePCT. It had also organized the second German-Japanese Symposium on "Patent Litigation in Japan and Germany", a UNION-IP round table event on clarity and the Munich International Patent Law Conference on patent litigation costs in February and June 2015, and intends to host a regional seminar with OHIM from October 27 to 29, 2015, and another international patent law conference and a UNION-IP round table event in 2016. On July 6, 2015, the DPMA had joined the Global Patent Prosecution Highway pilot program, thereby extending its PPH network by another 12 partner offices. Under the Global PPH, the DPMA now accepted PCT work products as a basis for a PPH request. The DPMA was also continuing its bilateral PPH pilot program with SIPO and discussions were underway on the permanent implementation of this PPH project.

69. The Delegation of Peru expressed its gratitude to WIPO for its valuable technical and financial support to a country that, in recent years, had partnered with WIPO in organizing regional events to increase awareness of IP, its limitations and the challenges for Latin America. The recent diplomatic conference at which the Geneva Act of the Lisbon Arrangement had been adopted and which Peru had had the honor of chairing had marked a high point for the Organization. Peru attached great importance to protecting appellations of origin, not only because it was convinced of the importance of designating, distinguishing and protecting a product based on its special characteristics but also because such appellations of origin

contributed to the inclusive development of countries of origin and helped improve the population's living standards. In the multilateral sphere, WIPO had proved once again that it was possible to achieve concrete results. Peru supported all efforts that would help ensure the adoption of the budget and a balanced normative agenda in such areas as copyright and related rights, the standing body for which was chaired by a Peruvian representative. As far as negotiations were concerned, the Delegation referred to the IGC, noting that even though the IGC had not been able to continue its work in 2014, the exchange of ideas had allowed members to reflect on the urgent need for the IGC to resume its work. The General Assembly had before it various substantive proposals, including one which GRULAC had presented to Member States with a view to the renewal of the IGC's mandate. Peru considered that if Member States could focus on substantive issues during the sessions, they would be in a position to convene a diplomatic conference for 2017. In the Delegation's view, after 15 years, it was time for the efforts which developing countries like Peru had made to combat misappropriation of resources to be backed up by an appropriate multilateral legal framework. The Delegation noted that the School of Competition and Intellectual Property was continuing to strengthen its image thanks to its strong efforts to consolidate a South-South cooperation agenda, for the benefit not of only Peru but also of the entire region. As far as those efforts were concerned, the Peruvian National Institute for the Defense of Competition and Intellectual Property (INDECOP) and WIPO had played a key role, as reflected by the jointly organized regional courses. Peru gave priority to protecting IP as a driver of development and recognized the importance of formulating public IP policies as a key tool for economic development, which was why the country was striving to become a member of the Organisation for Economic Co-operation and Development (OECD).

70. The Delegation of Malaysia associated itself with the statements delivered on behalf of the Asia-Pacific Group, ASEAN and the Development Agenda Group (DAG). Malaysia was particularly grateful to WIPO for encouraging and supporting innovation and economic growth by providing it with the access and capacity to exploit technological knowledge and information and research and development. The Delegation appreciated the deliverables and achievements in the PPR for the 2014-2015 biennium and the efficacy of the Secretariat in carrying out the work within budgetary constraints, without compromising the Organization's overall ability to achieve its expected biennial result. WIPO's financial statements for the year 2014 showed a surplus of 37 million Swiss francs and a corresponding increase in net assets from 208.8 million Swiss francs in 2013 to 245.8 million Swiss francs as at December 31, 2014. In the Delegation's view, this demonstrated WIPO's ability to surmount all odds through prudent financial management in implementing its programs. Malaysia had benefited from those programs in building up its national IP system and was keen to receive WIPO's continuing assistance as one of its priorities for the coming biennium. Malaysia joined the PCT in 2006 and was updating its patent law to enable it to accede to the Budapest Treaty and to accept the Protocol Amending the TRIPS Agreement on Public Health. Malaysia was also amending its trademark law in order to accede to the Madrid Protocol in line with its commitment under the ASEAN IPR Action Plan 2011-2015. The country was grateful for WIPO's continued support in ensuring effective implementation of the international IP system in the ASEAN region. WIPO had encouraged and supported Malaysia in establishing TISCs at selected universities and research institutes. That initiative would spur innovation and economic growth by providing Malaysia with greater access and capacity to exploit its technological knowledge and information for research and development purposes. Malaysia believed that the TISC could run in parallel with its National Agenda, considering that its aim was to improve innovation as well as to create and add value to produce high-quality products and technology to compete with other developed nations. The Delegation deeply appreciated WIPO's contribution to the National Intellectual Property Awards 2015, which provided medals for inventors in addition to awards from the Government of Malaysia. Malaysia had been steadfast in its efforts in preparing IP as an asset for security. The key to using IP, and for lenders in the financial sectors to accept IP as a financial asset, relied on credibility and greater transparency, making it less risky and thus more valuable as a financial tool. To that end, Malaysia needed to work



towards setting up effective and transparent criteria for IP valuations. A start was made with the IP Valuation Training Module in March 2013 to create local IP valuers and this was followed by the IP Valuation Model as a guideline to providing an appropriate basis of valuation for Malaysian businesses. To complement the IP ecosystem, a pilot IPR Marketplace Portal had been established as a trading platform to link IP owners with potential buyers and investors. Malaysia's latest development was the Roadmap for Intellectual Property Monetization 2015-2020, which was launched at the 2015 National Intellectual Property Award ceremony. This offered evidence that, with continuing support from WIPO, Malaysia would strengthen and continue the momentum in promoting IP as a new source of wealth to boost the economy and move towards becoming a high income nation with a strong IP regime by 2020. Malaysia wished to express its support for the work of the IGC in the prevention of the misuse or misappropriation of GRs and the provision of an equitable protection system for TK and TCEs. Malaysia supported the proposal from a group of Member States, namely the Holy See, New Zealand, Norway, Mozambique, the Republic of Kenya and Switzerland, for the Assemblies to renew the mandate of the Intergovernmental Committee for the 2016-2017 biennium. The Delegation believed that the continuation of the IGC's work would expedite the establishment of an international legal instrument for the protection of TK, GRs and traditional cultural expression. As to SCCR negotiations, the Delegation took the view that the SCCR should continue to work on the basis of its current mandate with a view to achieving concrete results. The three pending issues, protection of broadcasting organizations, exceptions and limitations to copyright and related rights for libraries and archives, and exceptions and limitations for educational and research institutions crossed borders and therefore required international solutions. Malaysia's interest in the exceptions and limitations was rooted in fulfilling the right to knowledge and education for everyone at all socio-economic levels. Opening up possibilities for education in IP was a consideration under the WIPO DA to which all had subscribed. Malaysia took note of the numerous plans and activities being implemented by WIPO in strengthening and consolidating IP systems in developing countries and LDCs. The Delegation was grateful to WIPO for its continued support and guidance in Malaysia's efforts towards setting up a stronger and more efficient IP regime in the region. In line with Medium-Term Strategic Plan (MTSP), development should continue to be a priority for WIPO and it was hoped that WIPO would further mainstream its activities towards all substantive Strategic Goals in line with the DA recommendations.

71. The Delegation of Canada said that it supported the statement made by the Delegation of Japan, on behalf of Group B. Canada was committed to improving its IP system on a continuous basis. It had developed one of the most ambitious programs in that area and had continued its implementation during the past year. In that same context of modernization, it was continuing its effort to accede to the Madrid Protocol, the Singapore Treaty, the Patent Law Treaty and the Hague and Nice Agreements. In 2015, it had adopted a series of legislative amendments for that purpose and was currently working on the implementation of regulatory arrangements. The Delegation wished to thank the Secretariat for its continued valued support and to greet its international counterparts, who had generously shared their experience with its country. Canada continued to provide frontline technical assistance on IP, particularly in the context of annual workshops on the management of IP offices that it organized in cooperation with WIPO. In 2015, it had again hosted participants from all backgrounds, who had had the opportunity to acquaint themselves with the management practices that made the Canadian Intellectual Property Office an efficient organization that focused on service to creators and innovators. Furthermore, that Office had recently concluded its training program for patent examiners from foreign offices. Despite the Organization's difficulties, Canada continued to give its full support to WIPO as an essential forum for the development of international IP norms, including in the SCCR and the SCP. It could support resumption of work in the IGC on the basis of a joint understanding of principles and objectives and the sharing of specific national experience, without prejudice to the result. However, it regretted that the difficulties encountered during the negotiations on a DLT in the SCT had hindered their conclusion. Canada welcomed the recent progress in the PBC concerning the definition of "development

expenditure”, governance and increased financial transparency in the Lisbon System. The Delegation trusted that that progress would facilitate agreement on the draft Program and Budget for the 2016-2017 biennium.

72. The Delegation of Equatorial Guinea stated that since changes were made to the Scientific and Technological Research Council (CICTE) in 2013, the new leadership had stepped up Equatorial Guinea’s participation in WIPO activities. For example, in November 2013, a major event organized in Malabo had helped to revitalize cooperation between CICTE and the Organization. The presence of a WIPO Delegation had facilitated multi-sectoral meetings with researchers, economic operators and sociocultural agents, thus initiating more open and broad-based bilateral cooperation between both parties. The program in question primarily entailed mobilizing available resources to raise public awareness on the relevance of IP as a driver for sustainable development in countries like Equatorial Guinea which were preparing to speed up the implementation of various endogenous strategies that were relevant to their development. In that connection, Equatorial Guinea planned to implement the second phase of such cooperation, considering that the country’s overall growth rate had risen significantly and it had achieved some of its IP-related goals. Consequently, CICTE was in the process of identifying the main development pillars and the key stakeholders who would participate in and drive the process towards attainment of WIPO goals, such as the promotion of IP, which was crucial to the development of developing countries; as well as awareness-building on and promotion of development-related activities. The Delegation noted that WIPO was the UN body primarily tasked with promoting initiatives conducive to the development of a balanced, effective international IP system that fosters innovation and creativity for the benefit of all. Equatorial Guinea was aware that such goals required a coherent, rigorous approach, considering that it was in the process of identifying its own growth sources and laying the foundation for its overall development. Consequently, there was need to strengthen cooperation ties with WIPO in order to build the national capacity to ensure the country’s social, economic and cultural development. The Delegation was convinced that WIPO was the best internationally recognized platform for the dissemination of information on IP, which was the catalyst for its national development processes.

73. The Delegation of Argentina wholeheartedly endorsed the statement made by the Delegation of Brazil, on behalf of GRULAC. With regard to norm-setting, two topics under negotiation were of particular interest to Argentina: industrial designs and protection of broadcasting organizations. Regarding industrial designs, the Delegation considered that negotiations were well along, trusted that Member States would display the flexibility needed to overcome remaining differences, and hoped that a diplomatic conference could be convened to adopt a treaty in that field as soon as possible. As for negotiations on the protection of broadcasting organizations, which had been under way for many years, significant progress had been made in that respect as well. In the Delegation’s view, it was necessary to set a clear-cut time frame for the conclusion of work. Argentina also deemed a balanced IP system essential. The Delegation reiterated its commitment to the effective application of the DA, recognized progress made towards that goal, and was confident that efforts to mainstream development questions into the Organization’s activities would continue. As regards training, the Delegation stressed the Academy’s key role in training human resources, as reflected *inter alia* by the regional IP Master’s degree offered jointly by WIPO and the *Universidad Austral* of Buenos Aires. It was grateful for WIPO’s support in that respect and hoped that it could continue to count on the Organization’s support in the future. It also thanked WIPO for the cooperation provided in conjunction with the pilot project on IP and industrial design management to promote business activity in developing countries and LDCs, in which Argentina had participated. The Delegation concluded by noting that the present Assemblies had to take decisions on administration and financial questions of great importance to the smooth functioning of the Organization, such as the budget for the 2016-2017 biennium. It was prepared to work constructively to resolve pending issues so that the budget for the next biennium could be adopted.

74. The Delegation of Colombia endorsed the statement made by the Delegation of Brazil on behalf of GRULAC and recognized the major challenges and the diversity of the complex issues that were of great importance for the Organization's future and would require decisions at the present Assemblies. It was in the interests of all Member States to agree on the adoption of the biannual program budget, which was key to the implementation of the new strategic goals and various programs that would bring to fruition the objectives which Member States had mapped out for the Organization. In addition, Member States had a responsibility to adopt a prudent and responsible investment policy, given the unstable economic situation. In the Delegation's view, the current Assemblies offered an opportunity to make progress on topics of relevance to the Organization that required a political commitment by all States present, which should be creative and proactive in the search for satisfactory solutions. As a specialized UN body and the world forum for IP policies, services, cooperation and information, WIPO had a fundamental role to play in implementing the multilateral agenda, which was being redefined in 2015 on various levels, with a crosscutting impact. Columbia deemed it vital to ensure the continuity of the work of the Intergovernmental Committee, which had been interrupted the previous year. The system's beneficiaries, especially countries like Colombia with great biological and cultural diversity, would struggle to understand why it was not possible to maintain the IGC as a platform for negotiating and discussing the topics on its agenda. The Delegation urged participants not to forget all the work done over so many years and expressed appreciation for the Facilitator's work and efforts. Another topic of interest to Columbia was the need to define the future work of the SCCR. In the Delegation's opinion, WIPO had to redouble its efforts to establish copyright offices, which were essential for ensuring effective protection of rights as instruments which generated wealth and increased levels of well-being. It was also important to work towards the earliest possible ratification of the treaties on broadcasting and to come to an agreement. The Delegation would follow closely initiatives in which its country had observer status and which were aimed at increasing, improving and facilitating protection levels for IPRs. In that respect, countries were counting on the good offices of WIPO and those participating in the Assemblies to ensure that contributions by Member States were given due consideration. Finally, the Delegation hoped that the necessary consensus would be found to ensure satisfactory outcomes for all Member States, particularly in view of the fundamental role of innovation in the 2030 Agenda for Sustainable Development which the UN had adopted recently.

75. The Delegation of Pakistan stated that, like all developing countries, Pakistan had a strong interest in the development of a balanced international IP system that catered to the diverse needs of Member States and civil society at different levels of development while simultaneously promoting innovation and technological advancement. It believed that the DA should be effectively implemented and mainstreamed into all the organs of WIPO and that consistent progress within the CDIP and full implementation of the DA recommendations were crucial to a balanced IP regime. The Delegation remained concerned at the impasse on important issues within WIPO. Ambassador Akram had taken the initiative of holding informal, open-ended meetings at the ambassadorial level to bridge differences on these issues. This transparent and inclusive process had generated candid discussions aimed at breaking the deadlock. The Delegation was also encouraged that the idea of creating smaller work groups to discuss external offices and the DLT had found resonance during the informal discussions. However, it was concerned at the lack of progress within the SCCR. Progress on the issue of exceptions and limitations was necessary if education, which is a basic human right, is to be ensured. The attainment of that right had often been impeded due to difficulties of access to copyrighted educational material. The Delegation stressed the need to move ahead on the current mandate of the SCCR, including on all three agenda items. Although the IGC had made progress, it still needed to move beyond a mere renewal of its mandate towards producing a legally-binding instrument to protect the traditional assets of people from misappropriation. The Delegation therefore urged Member States to proceed towards early text-based negotiations. It also strongly reiterated its principal position on the need to finalize comprehensive and objective guiding principles for establishing any new external offices, outlining the criteria, mandate and cost efficiency through a Member-State-driven process. Member States could then agree on

the need for and number of new external offices subsequently. The Delegation was pleased to note that the last PBC had reached a decision on the definition of development expenditure.

Debates within the SCP should be in consonance with the DA and give consideration to the basic human right of health which is meaningless without accessible and affordable medicines.

The Delegation took note of the progress and finalization of the agenda definition. However, there was need to expedite implementation of the TORs for the independent review of the WIPO DA and agreement on implementation of the recommendations of the independent technical assistance review. Streamlining of the DA did not end with the completion of a project; rather, it was a continuous process which should be reflected in all areas. Consequently, it was important for the committee to continue its work. Pakistan closely followed the discussion on human resource management in WIPO and was calling on the Director-General to step up efforts to address the continuing imbalance across and within regions, and specially ensure the UN principle of equitable geographical distribution at the senior management level. The Delegation concluded by underscoring the importance of better governance to ensure progress, the need for increased focus on accountability and oversight, as well as better coordination among the different departments of WIPO.

76. The Delegation of Italy aligned itself with the statements delivered by the Delegation of Luxembourg, on behalf of the European Union and its member states, and by the Delegation of Japan, on behalf of Group B. The Delegation also joined other Member States in commending the Director General and his staff for their efforts in maintaining WIPO's place as the global IP authority. Italy attached the utmost importance to the role of WIPO in developing a balanced and effective international IP system through cooperation among States, and in ensuring administrative cooperation among the Unions. WIPO's activities were essential in fostering innovation and creativity as they were increasingly becoming a core element in the achievement of competitiveness, economic growth and social progress. WIPO had achieved remarkable success in providing global IP services, IP information-sharing and dissemination as well as norm-setting, and Italy expected WIPO to build on that success, reaffirming its strong commitment. The Delegation welcomed the results achieved in the adoption of the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, as his country considered it an important step forward in the normative agenda, with potential benefits not only for countries currently part of the registration system, but for the entire membership of WIPO. The Geneva Act facilitated the accommodation of existing differences between national systems for protecting geographical indications and made the Lisbon System more attractive to producers from developed and developing countries and LDCs. That result had been made possible by transparent and inclusive negotiations throughout the revision process leading up to the diplomatic conference in May 2015, in which the full WIPO membership could actively participate. The Delegation was confident that that spirit of compromise could be kept alive during the period leading to the implementation of the Agreement. Italy had given careful consideration to the concerns raised by some delegations about the financial situation of the Lisbon Union and remained fully committed to making an active and concrete contribution to an effective solution, including the Lisbon System's long-term financial sustainability. There were other areas in which norm-setting activities would be fruitful, such as the harmonization and simplification of industrial design registration formalities through the adoption of a DLT, and Italy would welcome a decision to convene a diplomatic conference in 2016. Italy wished to confirm its support for the ongoing discussions towards the conclusion of a treaty on the protection of broadcasting organizations for the benefit of all users and looked forward to their successful outcome during the 2016-2017 biennium. The Delegation concluded by acknowledging the importance of the discussions held on GRs, TK and folklore and, while aware of the deadlock the work faced, believed that a compromise should be reached on a possible way forward.

77. The Delegation of Chile noted that the Assemblies were the Organization's best decision-making forum, a place where Member States had to reflect and give thought as to how they could build the future. In that respect, the Delegation viewed with concern the lack of prior agreement on various key topics, which implied an additional challenge for the Assemblies. The

Delegation was prepared to work together to build a consensus that would allow a successful outcome. Listing various aspects of interest, the Delegation noted that the DA had been a key element of WIPO's work. Chile had participated actively in the elaboration of that instrument and had used it as a source of inspiration for its own national policies. The Delegation was confident that the team of evaluators meeting to review the DA's implementation would fulfill its mission, it being understood that the corresponding recommendations were more relevant than ever. As regards copyright and related rights, the Delegation was concerned that no consensus had been reached on a recommendation for the Assembly. Its country attached great importance to the SCCR, in particular the work of that body and its achievements in the field of exceptions and limitations. The Delegation reaffirmed the importance of ensuring that work could go ahead on an equal footing on aspects that formed part of the debate on the SCCR. With regard to the mandate of the IGC, Chile reaffirmed the importance it attached to the topics before that body. In the run-up to the Assemblies, the Delegation had heard various positions relating to the IGC's future work. In the Delegation's view, it was possible to bring positions together in a constructive manner to enable a consensus on the renewal of the IGC's mandate. As far as budgetary considerations were concerned, the Delegation was confident that an agreement could be reached on the adoption of the budget for the 2016-2017 biennium. A consensus in that respect was essential for ensuring that WIPO could function properly. The Delegation reported that, a year after the Chilean National Industrial Property Institute (INAPI) had begun functioning as an International Search Authority (ISA) and an IPEA, its efforts had been rewarded with success. As at September 30, 2015, some 145 applications had been received, of which 25 per cent had come from other receiving offices. The Delegation expressed its thanks to the 11 IPOs in the region for their trust in INAPI.

78. The Delegation of Bangladesh aligned itself with the statement made by the Delegation of India, on behalf of the Asia and Pacific Group, and the statement of made by the Delegation of Benin, on behalf of the LDC Group. The Delegation was confident that WIPO would remain dedicated to fostering creativity and innovations and to strengthening National IP Offices to provide world class international IP services and was also keenly aware that WIPO, as the global IP institution, was a pivotal to developing the global IP system across the world with special attention to LDCs such as Bangladesh. In recent decades, WIPO had extended its cooperation for the promotion and protection of inventions and innovations in Bangladesh. Notably, in January 2015, the WIPO Director General had visited Bangladesh and signed a Service Level Agreement (SLA) between WIPO and the Department of Patent Design and Trademarks (DPDT). Pursuant to that agreement, the DPDT, with the assistance of WIPO, had established two TISCs to help potential inventors access IP databases and other technology resources for the dissemination of best practices and experience in the field of IPR in Bangladesh as well as elsewhere in the world. Bangladesh had recently amended and updated existing IP laws and rules. The country had also enacted a Geographical Indications Law. The Delegation felt it pertinent to mention that Bangladesh had already implemented an IPR project introducing an automated system in DPDT for the management of IP applications in collaboration with WIPO. A short course on IP at the Bangladesh Institute of Management had also been introduced with the assistance of WIPO. The Government of Bangladesh was giving serious consideration to joining the PCT and the Madrid Protocol. The Delegation also expressed deep gratitude to WIPO for the help provided in preparing the draft IP Policies of Bangladesh. Moreover, Bangladesh was currently following the robust National IP Roadmap provided by WIPO. Bangladesh wished to see the mandate of the IGC renewed immediately to prepare for a legally binding instrument or instruments for the IGC. The Delegation also called for an article on technical assistance and capacity building to be included in the proposed DLT and further urged that the budget of WIPO be approved quickly and development expenditure in no way be stalled or reduced over disagreement on an issue to which LDCs were not party. The Delegation also supported an agreement on broadcasting unions on a signal-based approach in the traditional sense. The Delegation appreciated the fact that over the years the Director General had striven to build and strengthen the expertise for this Organization dedicated to LDCs. The relevant national ministries had also provided guidance to the

organization through the adoption of the WIPO Deliverables. The Ministerial Declaration, adopted in Istanbul in 2011, had identified the specific priorities for WIPO to focus on in its IP-related technical cooperation activities for LDCs. In this connection, the Delegation further mentioned that the coordination for all technical assistance and programs could be directed through WIPO's Division for Least Developed Countries so that duplication could be avoided and the LDC permanent missions could also have a single point of contact. The Delegation hoped for continued cooperation with WIPO particularly for the improvement of the IPR system in Bangladesh.

79. The Delegation of the Philippines informed the Assembly that its country was continuing its vigorous and steady journey toward economic recovery, with a focus on innovation as a driver of inclusive and sustainable economic growth. To that end, the Philippines had worked hard to scale up the capacity needed to launch the country as the next innovation hub in the region. The Delegation was also pleased to inform the Assemblies that the Philippines hosted 85 active members of the Innovation and Technology Support Offices (ITSO) network and assistance to them in the areas of IP creation, protection and utilization was on track. Many universities were already reaping tangible benefits as a result of that pioneering program. As a developing country, the Philippines believed that innovation could be explored through the IP system in sustaining the capacity of the ITSO members and assisting them in commercializing their IP by providing platforms and institutional infrastructure for such commercialization and for international cooperation. To complement that initiative, 2015 had seen the launch of the IP Depot, an online marketplace and business-matching tool for home-grown IP assets. There were several success stories on that program but the salient point was that, through the IP system, not only could financial benefits be derived for inventors but people's lives could also be changed by job creation and the attendant personal dignity. It was encouraging to note that the Philippines had improved its performance by 17 points in 2015. The first Philippine Innovation Summit was held in September 2015 to forge an ongoing partnership between the Government, educational institutes and industry. As trade was now shifting to the Asia Pacific region, prospects for the Philippines were becoming more promising. In the field of alternative dispute resolution (ADR), the Delegation was delighted to stress the positive results it had brought in the resolution of many IP disputes, leading to an acceptance rate of 62 per cent and a success rate of 43 per cent. The Delegation considered it to be an excellent means of addressing the challenges of IP enforcement in the 21<sup>st</sup> century. Turning to GRs, TK and TCEs, the Delegation reported that positive developments had occurred in the crafting of the joint administrative order with the National Commission on Indigenous People (NCIP) on the rules and regulations to ensure protection and prevent misappropriation of those invaluable assets and on IP application and registration. The Philippines expected to finalize legislation before the end of 2015 and the Delegation hoped for progress in the international arena in terms of affording protection to GRs, TK and TCEs. On the question of enforcement, the country continued to blaze a trail in combatting counterfeiting and piracy. A holistic approach had been maintained in enforcement, including the active participation of the judiciary. To enhance its intensified IP enforcement operations, the Philippines had embarked on a strong education campaign aimed at the public, and youth in particular, on the value and importance of IP, as it believed that education was the ultimate tool for enforcement. The Delegation was grateful to WIPO for its continued support, not only in technical assistance, but also through guidance and the spirit of international cooperation.

80. The Delegation of Turkey noted with satisfaction that under the guidance of the Director General, the Organization had become more results-oriented than ever. The continuous increase in IP filings and expansion of global IP systems clearly represented a return on WIPO's efforts. However, the pace of its activity had not prevented the Organization from addressing the needs of its Member States. In that respect, the Delegation was pleased to announce that Turkey and the WIPO Academy would be launching a new Master's Program in IP at Bilkent University in Ankara in 2016. As the program would be international, it would be open to students from all Member States. Turkey and the WIPO Academy had already established two

IP training centers on industrial property and copyright in Ankara. The Master's Program and the training centers would have a complementary effect in addressing the need for IP professionals in Turkey and the region. Those two projects were part of the National IP Strategy, adopted in 2015, which contained some 50 priorities. A National Geographical Indications Strategy had also been adopted. Once the objectives set out in those Strategies had been reached, Turkey would become a more visible player in the field. The Turkish Patent Institute (TPI) had recently launched a web based technology transfer platform with the aim of bringing inventors and investors together. The platform had already attracted great interest from technology transfer offices, research and development institutions, and companies. After 20 years of providing IP services, the TPI was receiving the highest number of trademark applications of any European office: 110,000 trademark, 43,000 design and 12,400 patent applications as at the end of 2014. Regardless of its workload, the TPI had been able to complete its registration procedures in a timely manner thanks to the support of policy-makers. The personal participation of the President of the Republic of Turkey, Mr. Recep Tayyip Erdoğan, in the Fourth Turkish Patent Awards Ceremony in April 2015 was an excellent example of political support for the State's IP system. During his speech, the President had emphasized the importance of timely and efficient processing of IP applications, praised the work of the TPI in conducting patent searches and examinations in almost all IP classes and underlined the importance of sharing that capacity with other countries. Cooperation with national offices and international organizations had continued to increase owing to the positive results obtained from such agreements. During the past year, Turkey had signed cooperation protocols with the IPOs of China, Iran and Pakistan; an agreement with Serbia was expected to be signed in November 2015. Such bilateral agreements sought to enhance cooperation between Member States with a view to an efficient and robust global IP system. Turkey also aimed to enter into agreements with additional countries such as Albania, Bosnia and Herzegovina, and Tunisia in 2016. It attached particular importance to the agreement with Bosnia and Herzegovina, which would allow the TPI to prepare patent search and examination reports on behalf of its counterpart Office. That initiative would strengthen both relations between the two Offices and economic and industrial relations between the two States. The TPI was expected to have signed a total of 30 cooperation agreements with national offices around the world by the end of 2016. Cooperation agreements had been signed with international organizations as well. In line with the 2015 Action Plan between WIPO and Turkey, an International Conference on Managing Intellectual Property in Universities would be held at Boğaziçi University in Istanbul on October 15 and 16, 2015, with a focus on aspects of IP in technology transfer. Two training-of-trainers workshops on Turkish IP had also been organized. The WIPO secondment program for national experts had produced excellent results and Turkey would continue to participate in it in the future. Owing to the efforts of the Director General, two protocols relating to IP training centers and the IP Master's Program had been signed in June 2015. WIPO had also provided assistance for TPI participation in a number of global conferences that had given Turkey an opportunity to share its experience with offices in other Member States. Turkish patent examiners had participated in a number of extensive training courses provided by the EPO Academy, and cooperation with the EPO had led to a continuous increase in the number and quality of search reports issued by Turkish examiners. The number of patent examiners had, moreover, increased to a level that allowed the TPI to conduct searches and examinations of patent applications from almost all classes. The secondment of experts between the TPI and OHIM had helped to align Turkey's registration system with European Union practice. Furthermore, the TPI's designs database had been integrated into the OHIM's Designview as part of the TMview integration project. Turkey participated in OHIM Convergence Programme projects as an observer State, and trademark and design examination guidelines were constantly being updated in line with ongoing studies. With regard to the draft DLT, the Delegation appreciated the work accomplished by the SCT and fully supported the convening of a diplomatic conference, with attention paid to the concerns of all Member States, so that the draft treaty could be adopted in the near future. The Delegation also believed that the IGC's mandate should be renewed in order to conclude negotiations and convene a diplomatic conference to adopt the draft treaty on IP and GRs, TK and folklore.

It attached great importance to the achievement of DA objectives and urged Member States to enter into results-oriented discussions in the CDIP. Concerning the draft Program and Budget 2016-2017, it welcomed the consensus on the definition of “development expenditure” and hoped that the pending issues would soon be resolved. Like the Delegation of Japan, speaking on behalf of Group B, it attached great importance to the adoption of the draft Program and Budget 2016-2017 during the current Session and urged all delegations to do their utmost to see that accomplished. The Delegation reiterated Turkey’s willingness to host an external office of WIPO, which would create synergies with the future Technology Bank for Least Developed Countries. The Bank, to be headquartered in Turkey, would be established under the auspices of the Office of the United Nations High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States. The project had been developed in 2011 during the Fourth United Nations Conference on the Least Developed Countries. The goal was to establish a UN office in Turkey in order to help innovators and researchers in the LDCs to identify the technologies most relevant to their research subjects and act as a mediator for the negotiation of licensing agreements. The project also sought to facilitate contact among researchers in LDCs and developed countries who were working on the same subjects. The establishment of a WIPO office in Turkey would ensure the Bank’s sustainability and ensure the success of both efforts.

81. The Delegation of Nepal aligned itself with the statements delivered by the Delegation of India, on behalf of the Asia and Pacific Group, and Benin, on behalf of the LDCs Group. Nepal’s rich and diverse natural and cultural endowments, including traditional indigenous knowledge, had not yet been brought under an IP regime needed to pave the way for sustainable economic growth and development. Although it was still a challenge to properly use and commercialize such resources, which were scattered across diverse terrain, the future was promising. Nepal had started efforts to establish an integrated IPO and to formulate a national IP policy, with a view to addressing the challenges related to the IP sector. Nepal wanted to ensure that research, innovation and product development based on the indigenous natural and cultural resources would be sufficiently fostered with the promulgation of a new constitution. The Delegation acknowledged WIPO’s initiatives towards establishing technical and innovation centers and developing human resources with a focus on technical skills development. Nepal was willing to collaborate with WIPO in its areas of competence, focusing on productive capacity building, human and social development and expanding employment opportunities. The Delegation believed that LDCs, such as Nepal, needed effective protection for GRs, TK and TCEs, to hedge against potential misappropriation of such knowledge for narrow commercial interests. Considerable progress had been made with respect to the text-based negotiations on GRs, TK and TCEs, but the Delegation was of the view that Member States needed to work further and speedily to finalize the text. Accordingly, it supported the proposal to restructure the IGC as a standing committee, highlighting that such a move would not only eliminate the need to renew its mandate every two years but also provide time enough to work on the final GR-TK-TCE text. Nepal also appreciated the progress in negotiations on the draft DLT and reiterated its desire for the inclusion of legally-binding provisions on technical assistance and capacity building. The Delegation also supported the proposal on a disclosure requirement for industrial design applications. Progress had equally been made on a broadcasting treaty, and the Delegation believed that the negotiations should be centered on the 2007 General Assembly mandate for the protection of broadcasting organizations, and limited to a signal-based approach in the traditional sense.

82. The Delegation of Cambodia associated itself with the statements made by the Delegation of India, on behalf of the Asia and Pacific Group. Cambodia attached great importance to IP as one of the key drivers of economic development and the Government of Cambodia had accordingly established an industrial development policy which included IP. A national IP strategy had been devised with the support of WIPO. Progress had already been registered in that area. Cambodia’s overall ranking in the Global Innovation Index had risen from 106 in 2004 to 91 in 2015. Average Gross Domestic Product (GDP) had stood at 8 per cent for the past 10



years. Cambodia became a contracting party to the Madrid protocol on March 5, 2015. That development would enable Cambodian SMEs to protect their trademarks abroad more easily, simply and cost-effectively. Cambodia was also exploring the possibility of joining other WIPO treaties and conventions. Another noteworthy area of achievement was the establishment of TISCs. Cambodia hoped to sign a cooperation agreement with WIPO on October 12, 2015, with a view to fostering domestic research and innovation through the effective use of information. The WIPO DA included a number of recommendations in support of IP institutions and capacity-building in LDCs and Cambodia accordingly requested special attention and support for LDCs in addition to full and effective implementation of the relevant recommendations. Under WIPO leadership and assistance, Cambodia was certain to garner more IP development and achievements, such as the linkage of the Cambodian trademark database with WIPO Global Brand Database (GBD), with an online filing system to be introduced in 2016.

83. The Delegation of Egypt congratulated the Chair on his election and trusted that his leadership together with political will from Member States would unlock the stalled negotiations in various WIPO consultations. In this regard, the Delegation stood ready to cooperate with the Chair and make every effort for a successful Session. The Delegation noted that current Assemblies were held following the adoption of the United Nations 2030 Agenda for Sustainable Development (SD) on September 25, 2015. It recalled that SDG 9 on Industry, Innovation and Infrastructure dealt with the role of investment in these fields as a vehicle for economic development. While noting the direct link to WIPO's mandate, the Delegation explained that WIPO's role as an UN Specialized Agency should not be separated from other goals. The Delegation elaborated that if other goals were analyzed accurately, such as SDG 3 on Good Health, SDG 4 on Quality Education, SDG 6 on Clean Water, SDG 7 on Clean Energy and SDG 13 on Climate, it would become clear that WIPO, with its diverse activities, including international IP norm-setting, had an impact on each of those SDGs. Therefore, the Delegation regretted that the Organization was unable to provide its own substantive input into the international debate on SDGs, because of its engagement in resolving the long-lasting stalemate. There was a need to avoid any gap between the Organization's work and the deliverables set by world leaders. Development had become a fundamental component in WIPO's work. The Delegation supported the statement made by the Delegation of Nigeria on behalf of the African Group. It noted that the Assemblies had a heavy agenda, with many outstanding issues. Polarization was still prevailing in the implementation process of all aspects of the DA, especially with regard to the coordination mechanism. Generally, DA implementation required comprehensive review and evaluation. In this regards, the Delegation looked forward to the results of the Independent Review of the Implementation of the Development Agenda Recommendations. With regard to the work of the IGC, Egypt paid particular attention to consultations on international binding instruments for GR, TK and folklore protection. It recalled that, since the onset of those consultations 14 years ago, a great consensus had been achieved on some draft legal texts, paving the way for submission to a diplomatic conference. Since the previous year, and within the African Group, Egypt stressed the need for a date to convene a diplomatic conference. The Delegation confirmed that the same position would be held during consultations in the current year. In this regard, Egypt supported the proposal by the African Group on the conversion of the IGC into a standing committee, providing Member States with the opportunity to deal with substantive aspects instead of spending time on procedural and institutional matters related to the mandate of the IGC. With regard to external offices, the Delegation said that Egypt appreciated efforts aimed at achieving consensus on the WIPO Guidelines on External Offices and confirmed the African Group position to open two new offices in Africa and their inclusion in the draft Program and Budget 2016-2017. Africa as an emerging continent, offered many opportunities for comprehensive development, including through the use of IP as a tool for development. The Delegation looked forward to progress in the implementation of copyright limitations and exceptions, given their importance in making knowledge accessible to serve education, knowledge and development. Similarly, the Delegation emphasized that the regretful divide in consultations on patents had prevented the

SCP from supporting a shift towards addressing the concerns of developing countries, and hence from contributing to DA implementation. In conclusion, the Delegation wished full success to these meetings.

84. The Delegation of the Holy See expressed its appreciation to the Secretariat for the substantial outcomes achieved by WIPO in recent years, particularly in relation to its work on global IP services. The steady growth of applications and the expansion of the membership could not have been achieved without proper responses to the evolving demands of the real world. There was a global knowledge economy, and the key to future progress was to excel at transforming discoveries and learning into marketable new products and technologies. Private and public investments had given rise to continued, incredible scientific advances in the understanding and use of biological resources, thus creating great sources of value and the potential to improve people's lives. Fair legal frameworks for IP protection were an essential incentive for innovation and crucial in spreading the benefits of such innovations widely. Yet while the Delegation recognized the value of global IP protection, the scope of those rights must always be measured in relation to the greater principles of justice and service for the common good. Profit alone should not determine the essential tools used to combat hunger, disease and poverty. While WIPO needed to follow the principles of its Convention, it still had to respond to the ever-changing realities of the international community. This meant that WIPO had to continue to working at the service of the real world. The Secretariat and the Member States should revive the normative work in a functional and responsible manner, acceptable across the system and through which members of the global community could fulfil their responsibilities. The present day IP rights system was built on long-standing and traditional concepts of protection and designed before the technological revolution. Traditional copyright principles were not necessarily applicable in the modern digital world, and the one-size-fits-all approach of patent rules was no longer viable, given the cross-industry complexities of the new technology era. WIPO had to tackle these major challenges and help to bridge the gap between the prevalent trade-oriented approach and the broader implications of IP regulation. Accordingly, renewing the mandate of the IGC would send a strong signal.

85. The Delegation of Portugal strongly supported the statements made by the Delegation of Luxembourg, on behalf of the European Union and its member states, and by the Delegation of Japan, on behalf of Group B, and wished to add a few comments on the Geneva Act and the future of the Lisbon System. Congratulations were due to the Organization and all those who had contributed in a constructive, participatory and dialogue-oriented fashion to the success of the diplomatic conference in May 2015. The adoption of the Geneva Act was extremely important for the Lisbon System. The Delegation was deeply satisfied with that success and restated its assurance that the review of the system would make it more attractive to users, guaranteeing more appropriate protection for appellations of origin and geographical indications as indispensable means of differentiating between products, so that producers and regions could benefit from their daily efforts to differentiate and enhance the quality of their products. It was now for Member States to continue to improve the system, encourage its use and guarantee its proper functioning. The Delegation restated its full availability to consider, during the current Assemblies, the mechanisms which could improve the system and contribute to its sustainability, including the financial methodology that governed the budget of the Organization. In that regard, the Delegation felt that the review process concluded during the previous Assemblies would be an important and decisive contribution to improving the financial situation of the Lisbon System, with a positive effect on its income, either by increasing the number of new countries, or by increasing the number of applications following the extension of the agreement to geographical indications. The Delegation considered that the ensuing increased dynamism of the system should be the prime driver of a balanced budget. Members States would naturally need to face their responsibilities as members of the Lisbon Union and use the mechanisms offered by the agreement, and in future the Geneva Act, as possible sources of income for the system. Finally, the Delegation restated its willingness to consider the various funding proposals presented by the International Bureau.

86. The Delegation of the Russian Federation welcomed the participants in the Fifty-Fifth Series of Meetings of the Assemblies of WIPO and said it was convinced that joint effort and shared willingness to compromise would yield positive and mutually acceptable results. The Russian Federation accorded great importance to strengthening the international system for legally protecting and safeguarding IP rights based on WIPO norms and standards and preserving the Organization's unique nature as the only entity in the UN system to deal with IP issues. Expanding cooperation with WIPO was a matter of great importance to the Russian Federation. The Delegation noted the enormous potential of the WIPO Office in Moscow, which had been opened in the past year and was housed in the Skolkovo Innovation Center, and thanked Mr. Francis Gurry, Director General, for taking part in the online conference on Russia's Agenda in the technological revolution, together with Russian Prime Minister Dmitry Medvedev. During the conference, the Director General had confirmed WIPO's desire to support Russia's efforts to enhance its position in the international innovation arena. In his speech, the Russian Prime Minister had said that the WIPO Office would benefit all parties concerned by IP regulation and create better conditions for its protection. In view of the Russian Federation's scientific and technical potential, the Government was taking active steps to expand its trade in IP, develop a long-term national IP strategy and set up a single authority in that area, thereby giving IP a greater role in the State's economic development. The Federal Service for Intellectual Property (Rospatent) was committed to continuing and strengthening its cooperation with WIPO's Secretariat and other offices, which would stimulate innovation and benefit both creators and users of IP. In 2015, Rospatent had already cooperated with the Secretariat and the WIPO Office in the Russian Federation on a number of important measures. On September 23 and 24, 2015, in commemoration of its 60<sup>th</sup> anniversary, Rospatent had held its 19<sup>th</sup> Conference, entitled "Intellectual Property: History and Current Trends". The Conference had facilitated a useful exchange of IP experience in the field by Rospatent experts and representatives of international organizations and regional and foreign patent authorities. The Delegation took the opportunity to thank the heads of the Spanish, Armenian, Azerbaijani, Turkish, Serbian and Romanian offices for taking part in that event. WIPO was working with Rospatent to organize Russian regional seminars on the international registration of trademarks and industrial designs and the PCT System. Rospatent was also cooperating with WIPO in the organization of IP seminars for SMEs and IP policy seminars for universities and research institutions. A project for the establishment of a network of TISCs was another important area of cooperation with WIPO; to date, 130 such centers had been opened in 63 regions of the Russian Federation and WIPO had been actively involved in the Fourth Congress of Technology and Innovation Support Centers, held in the Russian Federation on September 9 and 10, 2015. Also in 2015, the Saint Petersburg State University of Information Technologies, Mechanics and Optics had hosted the WIPO Summer School on Intellectual Property for students and young professionals. With regard to new legislation, the Government had issued Order No. 1659-r of August 28, 2015 in preparation for accession to the BTAP. Rospatent needed to participate more actively in international protection systems if the Russian economy was to grow. The Government was prepared to ratify the Geneva Act of the Hague Agreement and the internal procedures for approval of the ratification documents were currently being processed by Rospatent, after which they would be submitted to the Federal Assembly. The Delegation considered that norm-setting was one of WIPO's most important areas of activity. In that connection, it drew attention to the successful diplomatic conference held in 2015, at which the Geneva Act of the Lisbon Agreement had been adopted in a clear example of constructive cooperation between Member States. However, it expressed concern at the fact that some WIPO committees had been unable to agree on recommendations concerning their mandate, the nature of their work and other such matters for submission to the General Assembly. Member States must resolve their disagreements and develop common positions on pending issues so that further progress could be made in a spirit of constructive cooperation. On behalf of the Russian Federation, the Delegation called for more rapid progress in the SCCR, on protecting the rights of broadcasting organizations and in the IGC. It urged Member States to make every effort to finalize the draft international industrial design treaty, which would serve as a clear example of cooperation, mutual understanding and mutual respect, and to adopt the

draft Program and Budget 2016-2017 as the necessary foundation for WIPO's work during the next biennium. It stood ready to take part in discussions and would endeavor to find solutions that would allow the interests of all WIPO Member States to be taken into account in a balanced manner.

87. The Delegation of Sierra Leone aligned itself with the statement by the Delegations of Nigeria, on behalf of the African Group, and Benin, on behalf of the LDCs Group. The African region was considered to have the fastest-growing economies in the world, with the talents of its population still to be discovered, promoted and protected. As the world economy was knowledge-driven, unless the WIPO DA introduced affirmative action, it would be difficult for Africa to attain sustainable development. On the same theme, Sierra Leone looked forward to the establishment of external offices in Africa, to better address the continent's challenges and constraints in developing its IP systems. It was widely known that Sierra Leone was one of the countries affected by the Ebola virus and as it had not been totally eradicated, was still not immune to subsequent attacks. Given how devastating the virus was, the sustained efforts to find with a lasting cure were highly encouraging, and, in that respect, Sierra Leone expressed its gratitude to WIPO for playing an important role through public-private partnership initiatives aimed at finding a lasting cure for those affected. The last of the three IP bills, a new Trade Marks Act, was passed in 2014 in line with international best practices. It was regrettable that a validation workshop scheduled to take place in October 2014 for the adoption of the Intellectual Property Strategic Development Plan prepared with WIPO's assistance, had to be postponed because of the Ebola crisis; the Delegation looked forward to WIPO's active participation in promoting activities in Sierra Leone in the near future. Sierra Leone deeply appreciated and supported WIPO's continued endeavors in the protection and promotion of IP rights in Member States.

88. The Delegation of Latvia considered that despite the lengthy agenda, discussions would be fruitful and concrete results achieved under the Chair's leadership of the Assemblies. There were several potentially challenging points to be touched on during the coming 10 days, for example the adoption of the WIPO draft Program and Budget 2016-2017 and discussions regarding the conditions for and the convening of a diplomatic conference to adopt the DLT. The Delegation nevertheless felt that with the Assembly's combined efforts and the common aim to enable innovation and creativity for all it, would be possible to reach a unified position and advance WIPO's normative agenda. In this context, the Delegation wished to offer a quote from the founder of the Ford Motor Company, Mr. Henry Ford, who had stated if everyone was moving forward together then success took care of itself, and the Delegation hoped that this would also be the case on this occasion. In conclusion, the Delegation restated its satisfaction and offered congratulations to Georgia on the occasion of its becoming a member of the CEBS Group.

89. The Delegation of Nicaragua fully endorsed the statement made by the Delegation of Brazil, on behalf of GRULAC, restating its readiness to continue working towards the Organization's objectives and goals. It thanked WIPO for its continued assistance to Nicaragua with management of the national IPO. The Organization provided valuable backing for efforts by Nicaragua and other countries in the region to meet the goals of national development, particularly in relation to science, innovation and technology. In August 2015, Nicaragua had had the honor of hosting the Fourth Central American Ministerial Meeting on IP, the theme of which had been the establishment of subregional cooperation programs for strengthening the IP system as an instrument for socially inclusive development. The Delegation appreciated WIPO's cooperation and assistance with regard to that ministerial meeting, which had been attended by WIPO's Deputy Director General in charge of the Development Sector. Nicaragua and other countries in the region had been consolidating efforts over the last five years that the ministerial meeting had held, to strengthen actions and policies relating to the promotion, development, protection and exploitation of IP. The countries in the subregion had made major efforts to enhance the competitiveness of their business processes and develop capacities for

optimum use of the IP system, in particular by formulating and implementing national IP strategies aimed at creating conditions conducive to the flow of goods and services within and outside the region. Within the framework of the DA programs, Nicaragua was interested in obtaining a study on the commercial impact and utilization of the IP system in the subregion and in the Dominican Republic. Nicaragua had always supported a development-oriented approach in WIPO and its committees, considering that such an approach could help ensure that Member States, in particular the developing countries, enjoyed access to a balanced IP system which in turn could play an important role in the creation of an innovative and dynamic global society. To that end, the Delegation deemed it imperative to make progress on various topics on the Organization's norm-setting agenda, reaffirming its commitment to continue working within the ICG framework to set norms for protection against misappropriation of GRs, TK and folklore and to reach an agreement grounded in an international legal instrument ensuring effective protection. As for the SCCR, the Delegation supported the adoption of a work plan fostering progress on discussions regarding copyright limitations and exceptions for educational institutions, archives and libraries, and on the debate concerning the protection of broadcasting organizations. With regard to external offices, Nicaragua was in favor of continuing deliberations in order to reach a consensus between all Member States. Any decision relating to the creation of external offices had to be taken with due regard for the principle of transparency. To that end, it was necessary to adopt guidelines for the establishment and monitoring of such offices. Finally, Nicaragua wished to make a positive contribution to the discussions at the current series of Assemblies and to do its utmost to promote a balanced solution in the interests of all WIPO Member States.

90. The Delegation of Ukraine congratulated the Chair on his election and wished him success in his endeavors, thanked the outgoing Chair and expressed its appreciation to the Director General and the Secretariat for their work throughout the year and in preparing the numerous documents for the meetings of the WIPO Assemblies. It welcomed the Organization's significant success in developing a balanced, accessible international IP system, strengthening the international IP legal protection system and ensuring its enforcement throughout the world by means of stable, harmonious cooperation between States and between regions. It hoped that fruitful cooperation with regard to the PCT, the Singapore Treaty and the Madrid Agreement and Protocol would continue. The Delegation expressed its satisfaction with the work of all the WIPO committees. It supported the SCCR's efforts to discuss the important issues surrounding protection of the rights of terrestrial and cable broadcasting organizations and the limitations of and exceptions to copyright and related rights. Ukraine recognized the importance of the latest WIPO instruments, and particularly the Beijing and Marrakesh Treaties, and had begun preparations for accession thereto. The Delegation supported the IGC's work and believed that TK was important to the economic development of many regions. It was therefore essential to continue work on international instruments that would allow the full economic benefit of GRs and TK to be achieved. It hoped that fruitful work would continue in the CDIP, which provided a platform for global discussion and implementation of practical measures to ensure the balanced development of the IP system. It also hoped that WIPO would continue its active support for national IP institutions in developing and transition countries with a view to establishing an equal partnership that included all Member States. In particular, it thanked the Department for Transition and Developed Countries for its constructive implementation of projects and programs in the region. It also thanked the Secretariat for its assistance in organizing joint seminars and conferences for interested parties, at which topical questions could be raised and discussed, and expressed its appreciation for the joint organization of the WIPO-Ukraine Summer School on Intellectual Property. Ukraine attached great importance to raising the quality of IP education and the Delegation hoped that support would be given to the State's efforts to implement a number of educational programs in that area. Despite its present difficulties, Ukraine was still committed to the common goal of strengthening the international system for the legal protection of IP and fully supported WIPO's efforts to ensure stable and harmonious cooperation between Member States. Lastly, the Delegation wished all the participants well in their work.

91. The Delegation of Jordan congratulated the Chair for his election and thanked the WIPO Director General and the Secretariat for their constructive support in promoting IPR protection and raising public awareness. The Delegation took note of document A/55/INF/6, which explained adequately the work of WIPO's External Offices, and thanked the Secretariat for the various initiatives carried out during the current year to implement external offices' activities and integrate them effectively in the work carried out at Headquarters in Geneva. In this regard, the Delegation wished that due consideration be given to opening new external offices in different regions, including the Middle East. In conclusion, the Delegation looked forward to participating in side-events organized by the Secretariat during the Assemblies, which would lead to further constructive activities and interaction among Member States.

92. The Delegation of Australia stated that its Government was committed to working with WIPO and other Member States to ensure the international IP system continued to promote the innovation, trade and investment vital to all economies. It looked forward to working with Member States to further WIPO's normative agenda, recognized the challenges of multilateral norm setting and encouraged Member States to focus on their common interests to help navigate the remaining differences. Australia was in the process of ratifying the Marrakesh Treaty and supported reforms to the global IP system through WIPO's Committees and working groups, particularly the PCT and Madrid Systems, so central to an efficient IP architecture. It welcomed the new accessions to the Madrid Protocol, notably its regional neighbor Cambodia. The Delegation also welcomed the expansion of WIPO-CASE and urged Member States to look to this resource to enhance efficiency across the system. The year had seen successful informal seminars on IP and GRs, TK and TCEs which had benefited from a wealth of views from across Member States. Australia had funded the participation of developing countries and LDCs, showing its support for a continued constructive approach to this important issue. It was in the interests of all Member States to approve the budget to ensure WIPO's on-going effective operation, and therefore urged all Member States to find a solution to outstanding issues, including ensuring the financial sustainability of the Lisbon System. WIPO and its Member States played a role in assisting developing countries and LDCs to take advantage of IP systems in fostering economic growth. The WIPO-Australia funds-in-trust program had begun in 2012 with a budget of 2 million Australian dollars. These funds were invested in innovative projects to help address the gaps in IP systems in developing countries and LDCs. Building on the achievements of Australia's first funds-in-trust program, it was pleased to announce a further three million Australian dollars for a second program, which would carry on the work and expand it to new partner countries. Australia would also support new activities including on appropriate environmental technologies for developing countries under WIPO Green. The Delegation looked forward to an on-going, productive relationship with WIPO and partner countries under this second program. Australia remained committed to developing an effective international IP architecture under WIPO's auspices and looked forward to working with Member States over the coming year with a focus on what is achievable and meaningful.

93. The Delegation of Paraguay noted that as Paraguay was a nation of creators, the Delegation reaffirmed its commitment to the development of a balanced and efficient international IP system that promoted innovation and creativity for all. The main objective of the current Government of Paraguay was a resolute attack on poverty and the Government had decided to use IP as a strategic "smart" tool for progress. Two years previously, the National Directorate for Intellectual Property (DINAPI) had been established. Its brief covered industrial property, copyright and enforcement. During that brief period, significant progress had been made in several areas, the primary aim being the strengthening of protection and enforcement of IP rights. Paraguay continued to believe in creative industries and had developed the project "Naranjaite", which translated from Guaraní as "a lot of orange". The project had been launched *via* the "Naranjaite Música" initiative, with workshops and seminars to train musicians in the digital era. As the implementing institution for national IP policy, DINAPI remained committed to combating piracy and counterfeiting on a permanent basis. In its two years of existence, more than 500 proceedings had taken place, avoiding economic losses of more than 200 million US

dollars. Paraguay had seen a considerable rise in applications for IP rights, a trend which promoted the creative industry, cultural innovation and technology and thus enhanced the country's competitive ability. DINAPI's new portal now showed trademarks already registered and applications received. The Delegation underscored the increase in training activities throughout the country: the workshops and seminars organized on various IP-related topics targeted the general public, above all educators. More than 2,000 teachers from the country's 16 administrative departments had been trained, in both urban and rural areas. Similarly, ties were being strengthened between Paraguay and other countries in the area, as well as with other countries which cooperated with Paraguay for the purpose of adapting best practices in the IP field. DINAPI had signed agreements with the United States of America, the Republic of Korea, Mexico, Chile and, recently, Spain. The results obtained had been tangible and had above all strengthened the institution. In relation to the deliberations of the coming days, the Delegation expressed the hope that the budget for the 2016-2017 biennium would be adopted during the current Assemblies, making it possible to ensure appropriate follow-up for all projects under way in the different programs. The Delegation also called for the renewal of the mandate of the IGC. The topic of external offices was another priority issue. As the guidelines document was well along, the Delegation supported the holding of consultations so as to settle the matter once and for all. It expressed appreciation for the information briefing the Secretariat would be organizing on WIPO External Offices, which would serve to highlight the importance of ensuring that all regions had physical representation within the Organization to promote IP as a tool for development. The Delegation urged all Member States to work towards the speedy entry into force of the Marrakesh Treaty, as half of the necessary ratifications were already in hand. Paraguay had been one of the prime movers behind the Treaty from its outset in the SCCR, and had been the second South American country to deposit the corresponding instrument of ratification. Finally, the Delegation was grateful for the support provided by the WIPO Secretariat in implementing the various projects under way.

94. The Delegation of Madagascar congratulated the President on his election and wholeheartedly endorsed the statements made by the Delegation of Nigeria, on behalf of the African Group, and Benin, on behalf of LDCs. It thanked the Director General and his staff for WIPO's valuable assistance in promoting the use of IP in Madagascar, especially during finalization of the document on the draft national policy and strategy for innovation and IP. In that connection, the Delegation expressed keen interest in that document being forwarded to the Government of Madagascar. As to the Lisbon Agreement, the Delegation was grateful to WIPO for its efforts to help Madagascar join the Lisbon System and for the draft national IP reform covering the protection of geographical indications and designations of origin. Moreover, the obligations arising from the reform of IP legislation, which included the protection of layout designs of integrated circuits and plant varieties, should already be envisaged by the Malagasy Industrial Property Office (OMAPI), especially in connection with its restructuring. For example, OMAPI urgently required WIPO's assistance with staff capacity-building in order to ensure effective implementation of the new provisions. Given its rich biodiversity and the relevance of this sector to its national socio-economic development, Madagascar fully supported the proposal by the African Group to turn the IGC into a standing committee. In that respect, following the holding of a national IP workshop on TK, TCEs and GRs organized with WIPO's backing, an *ad hoc* steering committee responsible for dealing with those questions had been set up recently, and Madagascar was counting on the Organization's support to ensure the viability of that body.

95. The Delegation of Cuba considered it important to renew the mandate of the IGC, given the work already done by that body, and to take a decision on the convening of a diplomatic conference. The IGC had a mandate to "continue to expedite its work with open and full engagement, on text-based negotiations with the objective of reaching an agreement on a text(s) of an international legal instrument(s) which will ensure the effective protection of GRs, TK and TCEs." In that respect, the Delegation underscored the importance of the political will of Member States to continue working and reach a consensus-based solution. WIPO's DA was

one of the cornerstones of the Organization and its Member States, and the Delegation attached great importance to the results achieved in implementing some of the DA recommendations through the different projects. Similarly, the Delegation recognized the need for Member States to launch a dialogue on IP and development as part of the third pillar of the CDIP and to continue relying on the Organization's ordinary budget for the effective implementation of the DA recommendations and the other technical cooperation and assistance activities, in particular with regard to Program 15: "Business solutions for IP offices". That computerized IP system was in use in over 80 countries, making it a truly global infrastructure for IP. The Delegation also stressed the need to maintain progress on, *inter alia*, studies on technology transfer, limitations and exceptions to industrial property in IPRs, studies on the application of IP flexibilities and promotion of the public domain. The Delegation emphasized that the DA should guarantee a balanced international system for IP and national policies, in particular public policies. As regards the work of the SCCR, the Delegation hoped that there would be tangible outcomes for activities relating to exceptions and limitations for libraries and archives, research and educational institutions, as well as for efforts to guarantee that persons with disabilities enjoyed access to those tools for learning and human development. As for the SCP, the Delegation noted that its work had to be geared towards continuing studies on patents and health, specifically with regard to the chapter on exceptions and limitations, with reference to barriers to patents and technology transfer. The studies relating to exceptions and limitations should tackle issues linked to development and terms of application. The Delegation highlighted the support provided by WIPO, in particular through its Regional Bureau for Latin America and the Caribbean, in the area of capacity-building for the various social stakeholders in the system, *via* the Infrastructure and Information Technologies Sector, which had covered the introduction of the IPAS and the installation of new versions of the system and its new aid. Finally, the Delegation endorsed the statement made by the Delegation of Brazil, on behalf of GRULAC.

96. The Delegation of Mali congratulated the Chair on his election and the Director General and his staff on their work. Mali was fully aware of the need to further strengthen development cooperation, including through the promotion and protection of IP. The excellent cooperation between Mali and WIPO was steadily improving and growing over time. The Government of Mali wished to reiterate its appreciation for the efforts made by WIPO as evidenced by, among other things, the provision of technical assistance that had enabled the country to join ARIPO in 1984 and to accede to the international conventions on IP, as well as providing IP capacity-building for Malian public servants and technical capacity-building for the country's IP management bodies (the Malian Centre for the Promotion of Industrial Property (CEMAPI) and the Malian Copyright Office (BUMDA)). In recent years, other activities had strengthened cooperation between Mali and WIPO, including the signing of an MoU between the Director General of WIPO and the Ministry of Industry, Trade and Investment in July 2009 with a view to the development of a national IP strategy. The overall objective of the strategy document, adopted by the Government of Mali on November 26, 2014, was to promote the development of an enabling environment for the promotion and protection of IP and, indeed, for effective use of the IP system as part of Mali's economic, social and cultural development policy and strategy, including the signing, by the Director General of WIPO and Mali's Ambassador and Permanent Representative in Geneva, of an October 8, 2012 agreement establishing a TISC in Mali. In that agreement, WIPO and Mali had undertaken to foster technical and technological innovation by increasing access to technical knowledge. The current security crisis in the country had had severe consequences for implementation of those two programs. With a definitive solution to the crisis in view of the peace agreement signed in Bamako on May 15, 2015, Mali was now requesting the Organization's support for their implementation. To that end, it hoped to organize, in cooperation with WIPO, a high level forum on IP for the decision-makers of all stakeholders in the system.



97. The Delegation of Georgia noted that it was taking the floor for the first time as a member of the CEBS Group and expressed the belief that the new platform would contribute to Georgia's progress on the path towards membership in the European Union. It thanked the members of CACEEC for their longstanding cooperation. The Director General's visit to Georgia had raised national awareness of the importance of safeguarding IPRs. WIPO had made an invaluable contribution to the development of a national system of IP protection, an area in which substantial progress had been achieved. The Delegation acknowledged the Organization's work in strengthening the capabilities of national patent offices and thanked the Secretariat for implementing the relevant development programs and providing assistance with the drafting of a long-term national IP strategy and the establishment of a national IP Academy. It welcomed the adoption of the Geneva Act of the Lisbon Agreement, a single instrument that safeguarded both appellations of origin and geographical indications and would thus be more attractive to users and prospective new Member States, as well as the agreement on a package of decisions on the work programs of the CWS, the SCT, the SCCR and the SCP. The fact that the Secretariat did not have any Georgian staff was of particular concern to the Government of Georgia; there could be no doubt that the State's IP office had the human resources to meet the Secretariat's requirements.

98. The Delegation of Barbados noted that with respect to the SCT and its meeting earlier this year relating to the use of country names as trademarks, it had to be highlighted that for developing economies like Barbados, where considerable effort had been made throughout the years in the development, maintenance and marketing of the uniqueness of the country name brand, this matter, as had already been pointed out, was of significant importance. The Delegation further wished to thank the International Bureau for the work that had been done so far on this matter and looked forward to the completion of further studies. Thanks were owed to Member States for their continued focused and steady deliberations so far, which were necessary for success to be achieved on this issue. The Delegation was following the work of the CDIP with interest and wished to assure the Assembly of its continued support with respect to the work of this very important Committee. As regards the IGC, being cognizant of the work that has been achieved so far after several years of negotiations, the Delegation supported the renewal of the mandate for the IGC. Barbados also supported the efforts of the SCCR as it worked towards the adoption of appropriate international instruments for the protection of broadcasting and cablecasting organizations; limitations and exceptions for libraries and archives; and limitations and exceptions for educational and research institutions and for persons with other disabilities. The Delegation wished to place on record its sincere thanks to WIPO for its ongoing technical assistance, which had helped to strengthen the capacity of the IPO and in so doing, further the development of Barbados' economy. It acknowledged with gratitude WIPO's decision on strengthening the Caribbean Section within the Regional Bureau for Latin America and the Caribbean, which would augur well for the Organization's ability to adequately and meaningfully respond to and service the needs of the several countries in the region. Barbados wished to assure the International Bureau and all Member States of its continued commitment to cooperation in furthering the use of IP as a tool for fiscal growth and development. The Delegation believed that WIPO represented the best means for achieving this goal and therefore reaffirmed its commitment to working with WIPO for the attainment of these goals.

99. The Delegation of Turkmenistan said that the State had been cooperating closely with WIPO in the protection and use of IP since the establishment of the national IP system in 1993 and was a party to numerous WIPO-administered instruments. It thanked the Department for Transition and Developed Countries for its support and expressed its appreciation to the Director General for his June 2015 visit to the country, during which high level meetings had been arranged to discuss issues surrounding the development of the IP system. However, the greatest momentum for bilateral cooperation had been provided by the meeting between President Gurbanguly Berdimuhamedow and the Director General, held in Geneva in 2012. Their exchange of views had focused on the resolution of issues relating to IPRs and, in

particular, the specific characteristics of the State's IP protection system. Among other positive outcomes, the meeting had resulted in the March 2013 establishment, on the President's initiative, of the State Service on Intellectual Property under the Ministry of Economy and Development. Turkmenistan paid close attention to global best practices in the area of IPR and their national application. On August 14, 2015, it had adopted the Program for Development of the Intellectual Property System in Turkmenistan for 2015-2020. The national and regional seminars and symposiums on IP protection that had been held for various States and private bodies between 2013 and 2015 were further proof of the active nature of bilateral cooperation between WIPO and Turkmenistan.

100. The Delegation of Sudan congratulated the Chair on his election and thanked the Director General and the Secretariat for the excellent preparation and documentation for the Assemblies. It recalled that Sudan recognized IP in its successive constitutions, in particular the 1998 Constitution which provided that each person had the right to benefit from his/her material and intellectual creations, and to own what he/she creates. The Delegation added that Article 39 of the 2005 Transitional Constitution provided that every citizen had an unrestricted right to freedom of expression, reception and diffusion of information and printed materials, and access to media, without prejudice to public order, security and morality. The Delegation noted also that respect for IP found its roots in Article 27 of The Universal Declaration of Human Rights, which provided that "Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author". The Delegation described national IP legislation, progressively developed from 1925 to date, which provided full and comprehensive protection for all IP rights. In addition, Sudan was party to various IP-related international and regional treaties, and a Member of both WIPO and ARIPO. The Delegation also referred to the Commercial Prosecutor Office, established in 2003, with a mandate that also covered IPR infringements. The IP Tribunal established in July 2002 as a unique IP-specialized tribunal in the Arab Region, was competent in criminal and civil IPR cases. The Delegation explained that IP protection was ensured by various authorities, including General IP Registrar that was entrusted with registration of trademarks, patents and industrial designs; participation in national, regional and international meetings; and advising the Ministry of Justice in any IP-related matters. The Delegation announced that the Registrar had a new trademark archive with a total of 53,500 trademarks to date, in addition to archives for patents, designs and international registration. New information offices provided guidance and advice to applicants and agents, under the supervision of a specialized attorney. The Registrar opened a new office for attorneys, agents and patent holders. Regarding IP-related technologies, the Delegation mentioned that after its creation in 2012, the IT unit established a network infrastructure in order to complete the digitalization of documents from all Sections. The IT network was updated with new servers including a CISCO firewall server, network switches, UPS batteries, heavy duty printers, and high quality scanners. The Delegation said that the Registrar totaled 62 computers, dedicated to digitalizing and archiving documents, data processing, e-search, as well as other patent-related e-services. Thus, the current situation met WIPO standards for e-management, as confirmed by the WIPO Project Manager, IP Office Business Solutions Division, during the last visit. In terms of capacity building requirements, the Delegation highlighted the fact that society in Sudan was gaining a better understanding of IP. A Center was established within the General Registrar for IP awareness-raising and capacity-building activities, including an e-library. A new website was created ([ipsudan.gov.sd](http://ipsudan.gov.sd)) containing all forms required for IP registration, and providing access to IP laws and international treaties. The Center offered training courses for stakeholders and employees to raise their capacities and awareness. Acknowledging the importance of awareness activities, Sudan participated in many national awareness-raising and capacity-building seminars and workshops on various topics, including patent protection for traditional medicine; as well as a workshop aimed at encouraging innovators to use patents for their inventions on the national, regional and international levels. IP in universities had been integrated in various Law curricula; and IP books and publications made available in libraries. Students were encouraged to register and protect their inventions. Among the activities carried out by the Registrar, the

Delegation stated the following: archiving documents using WIPOScan; scanning all documents using IPAS that as provided by WIPO; activating and updating an e-system, in order to reach an Electronic and Paperless Business, including e-filing and e-payments; elaborating a media plan to disseminate an IP culture; strengthening the relation with WIPO and ARIPO; and promoting Sudanese inventions and innovations regionally and internationally through participation in various expositions. The Delegation highlighted Sudan's interest in geographical indications as a tool for identifying the origin of products and thus ensuring fair competition. In view of its unique and distinguished agricultural and livestock products, Sudan started a national inventory of all relevant products with assistance from international geographical indications experts. The Delegation said that agricultural research institutions were requested to conduct studies on the genetic features of relevant products, an analytical study and a work plan were presented to local officials explaining the importance of, and the steps required to guarantee national geographical indications protection. In order to ensure regional and international protection, the current Law on trademarks was amended by introducing new provisions on geographical indications, collective marks and certification marks. The Delegation confirmed that the amended Law complied with TRIPS provisions, in preparation for accession to the WTO. A high-level ministerial meeting was held with the participation of ministries of industry, agriculture, trade, communication and forests, on the importance of national geographical indications protection in empowering national economy, promoting trade, and opening new markets for local products. In conclusion, the Delegation looked forward to the support from WIPO for a better future for IP in Sudan.

101. The Delegation of Tunisia trusted that, under the Chair's guidance, tangible results would be achieved to the satisfaction of all. It appreciated the thorough and extensive Annual Report by the WIPO Director General and congratulated the Secretariat for the excellent preparations of these meetings. The Delegation endorsed the statement made by the Delegation of Nigeria, on behalf of the African Group. Tunisia attached great importance to international norms in the field of IP as a driving force for economic, social and cultural development. On the national level, an IP strategy was being developed as an effective tool to enhance institutional capacities, particularly for SMEs. Projects under this strategy would include: (i) relocating the AIPO headquarters to Tunisia pursuant to the decision of the 2015 African Summit in Equatorial Guinea; (ii) strengthening and modernizing the National Institute for Standardization and Industrial Property (INNORPI) for a greater role in economic development through enhanced competitiveness, more entrepreneurship, as well as wider use of the IP system by innovators; (iii) acceding to IP treaties, namely the PLT, the TLT, the Singapore Treaty as well as the Geneva Act of the Lisbon Agreement recently adopted by the May 2015 diplomatic conference and whose Final Act was signed by Tunisia; (iv) promoting research results and patent use by the industry through the creation of technology transfer centers in universities, industrial hubs and technology parks; (v) enhancing the role of the Tunisian Intellectual Property Academy (TIPA), through diversified services, including Distance Learning programs and a specialized Master's Program. With regard to the mandate of the IGC, the Delegation regretted that negotiations had come to a halt and hoped that Member States would agree on a binding instrument on the protection of GRs, TK and TCEs. The Delegation supported the proposal by the African Group on the structural change and frequency of meetings of the IGC with a view to allow for the convening of a diplomatic conference at the earliest. The Delegation also attached great importance to industrial designs as they were closely associated with small manufacturers and craftsmen in traditional industries, textile and clothing. The Delegation looked forward to WIPO providing further support to this category of innovators and expediting the adoption of the DLT in a satisfactory manner for all. Tunisia valued the excellent cooperation with WIPO, through support for the industrial property and copyright offices, as well as for other stakeholders. The Delegation highlighted the Organization's support for developing countries, particularly Arab and African countries, in IP institution and capacity-building for the protection of innovations, creations and inventions as well as for the development of national science and technology infrastructure. Building on that support, Tunisia would actively work on establishing two regional offices for Africa. In view of what the country had to offer in terms of capacities that

benefit the continent at large, one of two offices would be based in Tunisia. In conclusion, the Delegation reiterated its support to the Director General in his modernization efforts and stated that its country was ready to participate in the process. It looked forward to continued cooperation with WIPO and wished full success to these meetings.

102. The Delegation of Congo aligned itself with the statement made by the Delegation of Nigeria, on behalf of the African Group, and noted that IP issues currently dominated the news on the knowledge economy. Such issues covered IP, literary and artistic property and were a factor of innovation, scientific research and technological support. These aspects were central to the activities of WIPO which had recently shown a keen interest in Initiative 2024 for the implementation of science, technology and innovation for Africa and the African Union's Agenda 2063 long-term program, with a view to integrating them into the IP system. After these initiatives, WIPO would organize a ministerial conference in Dakar from November 3 to 5, 2015, on the theme "Intellectual Property at the Service of an Emerging Africa". The Government of Congo attached particular importance to IP development, in its national policies and strategies governing this major challenge of the future. Accordingly, to promote IP, Congo had created a national IP coordination and development committee and initiated the validation process for the national IP development plan. In that regard, it had proposed a draft amended plan, based on established schedules, during the review conducted with WIPO in September 2015. Implementation of this plan would be determined during its final validation. Furthermore, Congo which was aiming for international standards in the management of geographical indications had prepared a draft document on the establishment of a national committee on this issue. The Assemblies were holding within a normative context marked by complex challenges. Accordingly, Africa had made a proposal relating to a structural change in the IGC. Draft instruments on the protection of broadcasting organizations and on limitations and exceptions for libraries, educational and research institutions and for persons with disabilities were to be re-examined in a spirit of much-needed consensus.

103. The Delegation of Côte d'Ivoire supported the statement made by the Delegation of Nigeria, on behalf of the African Group, and was satisfied with the Secretariat's efforts to prepare the various documents for the Assemblies. The Government of Côte d'Ivoire was equally satisfied with the reforms implemented to ensure that WIPO remained on course. Furthermore, it welcomed the adoption of the New Act of the Lisbon Agreement and intended to adhere to this instrument. Indeed, Côte d'Ivoire had many agricultural products which it intended to develop and protect at the international level using geographical indications. The Assemblies provided the opportunity to reaffirm the country's commitment to the ideals of equality, sharing and equity which characterized WIPO's work as it strived to develop IP at the international level through assimilation, innovation and creativity. Côte d'Ivoire urged all delegations to show determination and a greater willingness to cooperate in negotiations with a view to resuming discussions on GRs, TK and TCEs. In the industrial sector, a national project on geographical indications and collective trademarks had been initiated by the Government of Côte d'Ivoire to lend value added to agricultural and artisanal products with a view to curbing rural poverty. A solemn ceremony had been organized on July 16, 2015 to present the mid-term results of this project. It was a participatory process involving stakeholders from the sectors concerned and entailed the creation of the collective trademarks "*véritable pagne baoulé*" [veritable baoulé cloth] and "*véritable toile de Korhogo*" [veritable korhogo fabric]; as well as protection of the designs and drawings on baoulé cloth and korhogo fabrics through a system of industrial designs and models. In the area of culture, reform of the Ivorian Copyright Office with the assistance of WIPO concluded with the establishment of new management structures. The reform had led to an increase in the amount of royalties shared out to rights holders. Consequently, Côte d'Ivoire duly appreciated the technical assistance and guidance of WIPO. The Delegation extended the gratitude and thanks of the Government of Côte d'Ivoire to the Director General of WIPO for his innovative approach of tackling major global challenges through IP. It reaffirmed the resolve of the Government of Côte d'Ivoire to support the promotion of a balanced international IP system that is conducive to the economic, social and

cultural development of all. Lastly, it expressed the hope that a spirit of compromise would permeate proceedings over the next two weeks so that the Assemblies would be crowned with success.

104. The Delegation of the Democratic People's Republic of Korea began by expressing its expectation that the series of meetings would bear fruit and went on to convey gratitude to the Director General and his team for their meticulous organization. Although more than a decade of the 21<sup>st</sup> century had passed, climate change stood as an important challenge to the world, being the main cause of natural disasters and disease, while the global financial crisis persisted. In targeting those challenges, the Democratic People's Republic of Korea considered it essential that the activities of WIPO focus not only on the provision of legal and institutional mechanisms to protect IP but also on the effective use of existing and proven scientific and technological progress in resolving global issues, promoting socio-economic development and improving people's livelihoods. The Delegation appreciated the efforts already made by the Organization to strengthen the global framework for the protection of IP, consistent with the requirements of the knowledge economy era. The BTAP was adopted in 2012, followed by the Marrakesh Treaty in 2013 and discussions were under way to adopt a DLT, as well as treaties on IP and GRs, TK and folklore. In appreciating the Organization's past achievements, the Delegation considered that its activities should further be directed to resolving global challenges. As the post-2030 UN SDGs were being drafted, it was important for the Organization to focus further on IP protection and the resolution of global issues in environment, energy, food security and healthcare through science and technological development. It emphasized the importance of establishing a well-balanced mechanism for IP to enable scientific and technological success and to contribute to the welfare of humankind as a moral obligation, while protecting the rights of scientists and researchers. It would be necessary to extend support to developing countries to strengthen their ability to set up their IP protection as befitted their particular situation. It was essential to afford considerable attention to developing countries in drawing up their own national IP strategies and developing their infrastructure. In that regard, the Delegation stated that developed countries should fulfil their financial aid commitments, fully support the Organization's technical assistance and allow technology transfer to developing countries without any preconditions. Successful implementation of the DA and South-South cooperation needed to be enhanced to narrow the gap between the North and the South and overcome social problems such as brain drain. Regarding the DLT, the Delegation fully supported the request made by several countries to set out the technical assistance to be provided to developing countries. It took the opportunity to express its expectation that the Organization would strengthen its cooperation with international organizations including the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Environment Programme (UNEP) and the World Health Organization (WHO) and continue to pay attention to the tendency to politicize its projects and activities. It added that the President of the Democratic People's Republic of Korea paid close attention to the development of science and technology and the protection of IP rights and urged that science and technology be the means of speeding up the building of a thriving nation. Large-scale activities to boost those aims were being conducted to meet the demands of the knowledge-economy era. The Delegation stated that many exhibitions, namely the National Scientific and Technical Exhibition, the National Machine Design Festival, the National Industrial Art Design Exhibition, the National Invention and New Technology Exhibition and the National Youth Science and Technological Successes Exhibition, were held annually to increase social awareness on the need for technological development as well as the protection of IP. Assisted by the Organization, the Government of the Democratic People's Republic of Korea was framing a national strategy in order to develop a mechanism for the protection of IP rights and produce more creative and cultural works to reflect the high ideals of its people. In its role as a WIPO Member State, the Democratic People's Republic of Korea would further develop protection mechanisms for IP rights, fulfil its obligations and enhance its international cooperation in that field.

105. The Delegation of Sweden stated its full support for the statements made by the Delegation of Japan, on behalf of Group B, and by the Delegation of Luxemburg, on behalf of the European Union and its member states. The Delegation appreciated the work done and the contribution made by the senior management of WIPO to further the work of the Organization. In particular, the Delegation wished to take the opportunity to express its heartfelt appreciation for the excellent cooperation between the Secretariat and the Swedish Patent and Registration Office (SRV) in relation to advanced training programs funded by the Swedish International Development Cooperation Agency (Sida). Since the 2014 Assemblies, the three annual training programs organized as part of this collaboration between 2004 and 2014 had been evaluated by independent consultants. The evaluated programs had had more than 700 participants from LDCs and from low- and middle-income countries. The consultants had found that the training programs had significantly contributed directly or indirectly to several sustainable and impressive outcomes at country level. These results had potentially promoted innovation, creative industries and trade. One important aspect of the evaluation had been the Conference on Advanced International Training Programs on Intellectual Property in the Global Economy, held in Addis Ababa, Ethiopia. The conference had been organized by the PRV in cooperation with WIPO and with the kind assistance of the Ethiopian Intellectual Property Office (EIPO), to which the Delegation extended its appreciation. At the conference, more than 50 former participants shared experiences and views with both Sida officials and WIPO officials from the Copyright Division, the Division for Least Developed Countries and the WIPO Academy. The result of the evaluation and the valuable input received at the conference had already been realized in a new series of programs on IP for LDCs that would be organized twice a year until 2019. These programs were funded with almost 1 million euros annually by Sida. The first program would start in November 2015. Moreover, Sweden was currently working on developing new IP training programs. Sweden continued to welcome and support measures leading to mechanisms that were responsive, transparent and robust over time, aiming at a more efficient WIPO. The Delegation therefore complimented the Director General and his team for their work in these areas. Nonetheless, while the Organization had made considerable improvements, challenges remained. It was paramount that WIPO services improve their efficiency and meet customers' needs for international protection of their IP. Accordingly, WIPO should provide and develop the international legal framework and infrastructure for IP, to make the best use of IP as a driving force for economic development. The work of the committees of WIPO was important. The Delegation reaffirmed its strong commitment to the important work done by the SCT, especially for its monumental work in recent years on the design law formalities treaty. The Delegation recognized the great importance and added value of harmonizing and simplifying design registration formalities and procedures. Furthermore, Sweden wished to acknowledge the success of the Madrid System. The system played a vital role in promoting the essence of IP – innovation and creativity. With regard to the SCCR, the Delegation expressed its gratitude to the WIPO Secretariat for its continuous efforts to advance the issues on the agenda and restated its commitment to participating constructively in future deliberations of the Committee. With reference to the subjects before the IGC, the Delegation emphasized the significance of the work done by committees. Sweden looked forward to establishing a framework for future discussions in the IGC. Any work carried out in the IGC should be transparent and driven by the Member States. With regard to CWS, the Delegation emphasized the utmost importance of the efficient exchange of information for WIPO's global services. It was therefore regrettable that the development of new technical standards was being hampered by disagreement on non-technical matters, particularly since there was a need to formalize the agreed conclusion that had been reached by the CWS task force on purely technical matters. Sweden was committed to furthering the international harmonization of patent law and regretted that this item was not currently on the agenda of the SCP. Nevertheless, Sweden acknowledged the import of the discussions and sharing of views in the SCP on various patent-related topics. Furthermore, the Delegation wished to emphasize the great importance of the PCT System and Sweden's commitment to the valuable work of the PCT Working Group. Finally, Sweden looked forward to continuing its successful cooperation

within WIPO on the development of the international IP system for the economic, social and cultural development of all.

106. The Delegation of Kyrgyzstan wished to assure the Assemblies that, as an active member of WIPO, the country fully supported the work of the Organization and its initiatives aimed at achieving the best results for the benefit of all Member States of WIPO. WIPO's activities contributed to the implementation of modern mechanisms aimed at strengthening the capacities and capabilities of national patent offices. In this area, the State Service of Intellectual Property and Innovation (Kyrgyzpatent) had actively cooperated with WIPO and other patent offices of WIPO Member States. The Delegation noted with appreciation that in recent years, WIPO had managed to implement a number of successful projects in many countries and looked forward to continuing productive cooperation in this area. The Delegation appreciated the work of the ACE as a forum for the exchange of information on issues concerning IPRs. In the Delegation's view, cooperation and coordination in dealing with enforcement, particularly among law enforcement agencies at the national, regional and international levels, was essential. In its support for the work of the IGC, the Delegation stressed that it was aware of the complexity of the subject matter and hoped for success in this area. The Delegation noted the performance of the CDIP. Activities undertaken in the framework of the CDIP were positively reflected in the blossoming and improvement of the IP system in all countries. In 2015, the activities of Kyrgyzpatent had mainly focused on the following: improving the quality of expertise in the provision of legal protection for IP and raising the level of protection for IP; creating elements of the national innovation system, including through the opening of new TISCs; informing the public about the role and importance of IP and innovation; augmenting intellectual creativity. In addition, the patent office continued to work on the development of relations with the patent offices of other countries and on the training and professional development of its employees in the field of IP protection. The Delegation was deeply grateful to WIPO for the assistance provided in the advancement of the IP system of Kyrgyzstan, which enabled the country to empower and protect its intellectual wealth. In particular, the Delegation expressed gratitude for the organization of international and regional seminars on IP and the protection of TK, which had become a platform for open discussions on relevant challenges in these areas. The Delegation expressed the hope and interest in receiving advisory and technical assistance from WIPO throughout 2016 on devising the national development strategy for IP and innovation. Kyrgyzstan had expressed its interest in the work of several Committees, namely: the PBC; the CDIP; the IGC; and the ACE. The Delegation restated its gratitude to WIPO for its continued support in the empowerment of the IP system of Kyrgyzstan.

107. The Delegation of Cameroon indicated that the country's strategy of diversification of both the economy and sources for the production of wealth had taken full account of the opportunities offered by the strategic use of IP in the field of innovation and business competitiveness. It stated that since the implementation of the National Plan for the Development of Intellectual Property, which had begun in 2013 and had been carried out in conjunction with WIPO, it had noticed a significant increase in the protection of IP titles, in addition to the development of culture and innovation, both commercially and technologically, among SMEs which accounted for 90 per cent of the country's economy. The Delegation also stated that the request to extend support networks for technology and innovation at universities had continued to increase and had added focus to the fields of research, technical and scientific in those institutions. The Delegation also noted that the marketing of two local products that were protected as geographical indications had led to impressive and encouraging results. The Government had decided to continue registering products as geographical indications in order to promote inclusive development and guarantee sustainable economic growth. The Delegation added that the continued existence and consolidation of such positive outcomes was dependent upon skilled human resources. It explained that Cameroon was of the firm view that cooperation and technical assistance along the lines proposed by WIPO needed to be stepped up and implemented among the Organization's Member States on a human, technical and infrastructural level in order to ensure that WIPO's ideals of development, equality and equity

were translated into reality. The Delegation pointed out that the Assemblies had been called upon to express their views on matters that had seemed to have reached an impasse at previous meetings, namely the implementation of an appropriate and relevant legal framework for protecting GRs, TK and folklore, the creation of WIPO external offices, issues of technical assistance to developing countries and international protection of industrial designs and models, topics which were of high importance to Cameroon and which had led the Delegation to support the statement made by the Delegation of Nigeria, speaking on behalf of the African countries. Finally, the Delegation reminded the Assembly of the importance of decisions taken in acknowledgement and respect of IP, as advocated by the Organization throughout the world and disseminated in various countries, and emphasized its belief in the possibility of achieving favorable outcomes.

108. The Delegation of Bhutan recognized that IP protection was important and necessary in promoting creative and innovative activities which were vital for economic development. Like many LDCs, Bhutan relied on WIPO for technical assistance and guidance. National IP legislation was to be amended, the drafting was complete and the amendments were being translated from English to the national language. The changes would hopefully improve the administrative and judicial framework, safeguard IPRs and ensure compliance with international obligations. In July 2015, WIPO's International Cooperation on the Examination of Patents Service had provided a week-long in house training program on substantive patent examinations. This had already translated into the faster analysis of pending substantive reports, most of which were due for decision in January 2016. A national workshop on TK, TCEs and GRs had been organized in collaboration with WIPO's Traditional Knowledge Division in August 2015. Discussions with the relevant stakeholders were ongoing and aimed at improving TK, TCEs and GRs documentation and rendering it accessible. Furthermore, a national workshop on accessing technology for innovation and establishing a TISC network in Bhutan had been held in September 2015 with the support of WIPO's Innovation and Technology Support Section. It had described and raised awareness on how to access technical information contained in patent documents, which would eventually contribute to improving not only innovation and transfer of technology but also the protection and utilization of IP. The Delegation expressed sincere thanks and deep appreciation to WIPO for the assistance received and looked forward to similar support in the future. It was encouraged by the commendable work done by WIPO under the able helmsmanship of the Director General. The Delegation also extended its gratitude to the Democratic People's Republic of Korea, Japan, and Singapore for assistance received over the preceding year in relation to training and other collaborative activities.

109. The Delegation of Gambia said that it associated itself with the statements made by the Delegations of Nigeria, on behalf of the African Group, and Benin, on behalf of the LDCs Group. It commended the Director General and his team for the excellent manner in which he had managed the Organization's affairs and finances over the past year, and it continued to count on WIPO support for the creation of a more balanced global IP landscape in line with the Organization's DA. However, notwithstanding the tremendous progress in norm-setting over the past two years, it noted with concern the slow progress made by the IGC and urged Member States to display the necessary commitment and political will so that meaningful progress in the negotiation and eventual adoption of the long-overdue draft treaty on GRs, TK and expressions of folklore could be made. Gambia was continuing to develop its IP system in the areas of norm-setting, institutional capacity-building and awareness-raising in order to sustain an IP culture at the domestic level. The internal procedures for the State's accession to the Madrid Protocol had been completed: its trademark legislation had been amended accordingly, its instrument of accession had been deposited in September 2015 and it would be a State party as from December 2015. During the past year, Gambia had also signed the ARIPO Protocol for the Protection of New Varieties of Plants. The WIPO IPAS had been fully deployed in the country, facilitating access to and search of IP records. In closing, the Delegation thanked WIPO, and particularly its Regional Bureau for Africa, for providing support to Gambia over the



past year with a view to the development of a national IP strategy, the establishment of scholarships for master's degree students in IP and the holding of awareness-raising seminars for law enforcement officers.

110. The Delegation of Hungary associated itself with the statements made by the Delegation of Romania on behalf of the CEBS Group, and Luxembourg, on behalf of the European Union and its member states. Hungary remained a responsible and active WIPO Member State in contributing to the maintenance and improvement of a balanced and effective international IP system. The Delegation fully supported the Organization in delivering on its mandate. The cooperation between WIPO and Hungary had always been excellent. The Seminar on the Introduction of the ePCT, organized in Budapest at the headquarters of the Hungarian IP Office, on June 3, 2015, had highlighted this cooperation since the last series of meetings of WIPO Assemblies. The Hungarian IPO was grateful for the assistance provided by the WIPO Secretariat. The National IP Strategy of Hungary, the Jedlik Plan would enter the last year of its implementation in 2016. The Delegation continued to count on the strong cooperation between WIPO and Hungary during the final phase of implementation. Hungary wished to reaffirm its strong commitment to the adoption of the DLT. The Delegation deeply regretted that the General Assembly had not been able to decide positively on the convening of a diplomatic conference at its last session. In the Delegation's view, harmonizing design law formalities would deliver important benefits for applicants and users from developed and developing countries and LDCs. The Delegation sincerely hoped that the current session of the WIPO General Assembly would finally take a decision and convene the diplomatic conference for the adoption of the DLT. Hungary had been a determined promoter of global protection of geographical indications and appellations of origin for decades. Accordingly, it welcomed the successful outcome of the Diplomatic Conference for the Adoption of a new Act of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (the Geneva Act). The Delegation firmly believed that the revision would make the system more user-friendly, more attractive and would transform it into a truly global registration system. The Delegation was convinced that the Geneva Act had been negotiated in an open and inclusive manner, where all WIPO Member States had been able to play an active role in the discussions. Hungary supported the draft Program and Budget for the 2016-2017 biennium and also urged delegations to agree upon a compromise solution with regard to open issues in order to adopt the draft Program and Budget 2016-2017. As regards the relatively small amount of deficit of the Lisbon System, the Delegation wished to stress that, as a member of the Lisbon Union, Hungary supported transparency and believed that the financial sustainability of the Lisbon System would be ensured in the long term. However, the Delegation felt that it was important to avoid conflating the jurisdictions of the various WIPO bodies. Handling the deficit and making the necessary steps fell under the competence of the Lisbon Union Assembly. The Delegation wished to recall that the Visegrad Countries (the Czech Republic, Hungary, Poland and Slovakia) had been working on the establishment of a new regional PCT authority for some years. In a letter dated February 26, 2015, the Presidents of the IP Offices of the Visegrad Countries had informed the Director General that the governments of these countries wished to seek the appointment by the PCT Union Assembly of the VPI as an International Search Authority (ISA) and an IPEA under the PCT, and requested that the issue be put before the PCT Committee for Technical Cooperation (PCT/CTC), and that the matter be added to the agenda of the PCT Union Assembly for decision during the current Assemblies. The Delegation was pleased to report that the PCT/CTC at its 28<sup>th</sup> session, held in Geneva in late May 2015, unanimously agreed to recommend to the PCT Union Assembly that the VPI be appointed as an ISA/IPEA under the PCT. The Assembly of the PCT Union was then invited to appoint the VPI as an ISA/IPEA with effect from the entry into effect of the Agreement, to be concluded between the VPI and the International Bureau, by December 31, 2017. The presence of the PCT Authority in Central and Eastern Europe would offer users of the patent system a favorable and efficient option for obtaining patent protection internationally. The users would also benefit from the possibility of communicating with the PCT Authority in their own language. Those advantages might contribute to fostering innovation and creativity and to promoting economic

growth and competitiveness in the region. The Delegation stated that it would highly appreciate the supportive approach of other WIPO Member States for a positive decision by the PCT Union Assembly and expressed the hope that the discussions would flow in a positive, broad-minded atmosphere to which the Delegation would contribute in a constructive manner.

111. The Delegation of Jamaica said that Jamaica's IP rights system was one of the building blocks of the long term policy encapsulated in its National Development Plan, Vision 2030. In September 2015, with assistance from WIPO, it had commenced an IP audit which would, among other things, highlight the strengths and weaknesses of the State's implementation of IP instruments and make recommendations on the way forward. In cooperation with WIPO, Jamaica would host a meeting for Caribbean Ministers with responsibility for IP, to be held in Kingston on November 26 and 27, 2015, preceded by a meeting of heads of IPOs. The topics for discussion at that event included the establishment of a regional system for patent administration and a regional instrument for dealing with GRs, TK and TCEs. On April 20, 2015, in keeping with its objective of promoting the protection of IP, Jamaica had launched the Intellectual Property Week with an unveiling of its geographical indications logo. The event had received support from the Minister for industry, investment and commerce, who had ministerial responsibility for the country's IPO. It had received extensive media coverage and had been followed by a number of seminars and workshops on the use and benefits of IP. On the International Reggae Day, celebrated on July 1, 2015, IPRs specialist David Stopps had spoken on the topic of how to make a living from the music business. The Delegation thanked the Organization for its support and assistance with IPAS, which had increased the efficiency of Jamaica's IP system, and looked forward to continued WIPO support for the State's voluntary copyright registration system. It recognized the importance of the work done to date by the IGC on the topic of IP and GRs, TK and folklore and encouraged all Member States to support renewal of the Committee's mandate. With regard to trademarks, Jamaica remained convinced of the need to improve IP-related protection of country names and called for work on that issue to continue.

112. The Delegation of Bulgaria aligned itself with the statements made by the Delegations of Luxembourg, on behalf of the European Union and its member states, and Romania, on behalf of the Group of Central European and Baltic States. The Delegate assured WIPO of his country's continued support for its work in the pursuance of its strategic goals, welcoming the important results achieved in 2014 and 2015. It pointed to the successful conclusion of the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications as a significant contribution to the modern IP system and believed that the Lisbon Agreement would attract a wider membership to the Lisbon System. Turning to the norm-setting activities of WIPO, the Delegation expressed his country's hope that Member States would reach agreement on convening a diplomatic conference to adopt the DLT. The Delegate felt that international regimes already in place should not be forgotten. Bulgaria extended its support to the work aimed at improving the PCT, Hague and Madrid Systems in order to respond adequately to the dynamic and evolving needs of IP users worldwide. At the national level Bulgaria had continued its efforts to generate greater public awareness for an international IP regime, and in that context several workshops on IP enforcement, PCT and mediation had been organized jointly by the Bulgarian Patent Office and WIPO in 2014 and early 2015. Business procedures in the administration and management of IP through the IPAS had also been upgraded and automated. The Delegate concluded by endorsing Bulgaria's appreciation of WIPO's support in the development of the Bulgarian Intellectual Property Strategy for the period 2016-2020 and expressed the hope that the cooperation between Bulgaria and WIPO would be further strengthened.

113. The Delegation of Namibia pledged Namibia's support and commitment to a constructive process and applauded the Secretariat for its achievements. The Delegation aligned itself with the statement made by the Delegation of Nigeria, on behalf of the African Group. In the context of Namibia's national theme of "Growth At Home" and the declaration of poverty reduction by

the President of Namibia, a number of legislative and institutional developments had been undertaken and when the Business and Intellectual Property Authority Bill had been passed, it would establish an autonomous body to govern issues of IP, harmonizing the administration of both the Copyright and Industrial Property Acts. Namibia was also looking forward to the implementation of the new Industrial Property Act, which had been hailed by international experts as one of the best pieces of IP legislation, once the regulations had been promulgated. The Delegation was grateful to WIPO for its continued meaningful cooperation with Namibia and was pleased to recall the key initiatives undertaken by Namibia, with WIPO's collaboration, in promoting its IP agenda. A workshop on the preparation of the IP Strategy had recently been held and would contribute to the formulation of the National IP Policy. Public awareness had been created as a result of the workshop. Namibia acknowledged the positive effect of WIPO's assistance in improving the function of its IPO in the use of the IPAS and the recently introduced Model IP Office, of which Namibia was a proud recipient. Two successful workshops had been held in Namibia. One was the regional IPAS training workshop organized by WIPO, with the assistance of the Government of Japan, in collaboration with the Government of Namibia. The other was the practical workshop on IP and GRs, TK and TCEs, with a focus on access and benefit-sharing mechanisms. Namibia continued to benefit from various interventions by WIPO to assist capacity-building in the field of IP and was grateful to WIPO for organizing the Conference of Ministers to be held in Senegal in November 2015, with the aim of consolidating policy initiatives towards the potential value of IP in development in Africa. Regarding the IGC, Namibia wished to see the resumption of the text-based negotiations for the effective protection of TK, TCEs and GRs. The adoption of a treaty in those areas would go a long way to ensure that WIPO was inclusive and supported the protection of all forms of IPRs, irrespective of the location of creation. The Delegation urged WIPO to adopt the philosophy of the President of Namibia: no one should be left out. Regarding external offices, Namibia called for the approval and accelerated establishment of the two offices for the African Region; the formulation of guidelines was welcome but those could not be used at the expense of undermining the objective of the initiative.

114. The Delegation of Costa Rica said that it welcomed the progress that the countries of Central America and the Dominican Republic had achieved to date through the various projects which made up their work program and which had been made possible, to a large extent, by WIPO technical cooperation. Those projects included updating of the harmonized trademark and patent manuals, instruments that were extremely useful to offices of the region and users of the system in their efforts to standardize the classification criteria used by examiners. Both of those instruments had been successfully updated as a result of the meetings held in Panama City and, recently, in Tegucigalpa (Honduras). The Delegation expressed its appreciation for WIPO's support for two specific activities: the regional meeting of heads and directors of copyright offices in Latin America, held in San José (Costa Rica) in June 2015, and the fourth meeting of ministers of Central America and the Dominican Republic, held in Nicaragua in August 2015. Two of WIPO's Deputy Directors General, Ms. Anne Leer and Mr. Mario Matus, had participated in both of those meetings. The Delegation also expressed its appreciation for the selection of Costa Rica to host the Sub-regional Workshop on Industrial Designs and The Hague System for the Intellectual Property Offices of Central America and the Dominican Republic, held in San José on June 8 and 9, 2015. It highlighted the work done by the participants in that workshop; guided by WIPO experts, they had held a fruitful discussion of the offices' handling of industrial designs. WIPO had already agreed to sponsor some of the activities that Costa Rica planned to carry out in 2016, including preparation of a regional Nice Classification and the establishment of a sub-regional network of TISCs in the Central American countries and the Dominican Republic, to be known as CATICAR. The Delegation reiterated its intention to participate in the meetings of the various WIPO committees – and particularly the IGC, to which Costa Rica attached great importance – as it had done in the past.

115. The Delegation of France reminded Member States that France was hosting the United Nations Climate Change Conference at the end of the year. Solutions such as innovation and

the abilities of businesses and mankind to find new solutions would be at the very core of the conference agenda. It wished to emphasize the fact that WIPO's voice would also be part of the global response that Heads of State and Government would bring to that issue at the end of the year. The Delegation then made several comments on the General Assembly without entering into detail on each specific issue contained in the statement of the European Union and that of the Delegation of Luxembourg, speaking on behalf of Group B. It mentioned several issues that were eagerly expected of France, the matter of the Lisbon Union in particular, in order to define the state of mind which categorized it. Firstly, it spoke of the principle of responsibility and reminded Member States that during the PBC meeting its commitment to dialogue and to putting proposals on the table in order to discuss them and explore all possible avenues had been observed. It stated that the Member States of the Lisbon Union had met in Geneva on several occasions and had assessed all of the issues such as increasing the resources of the Union using registration fees and reducing expenditure with the assistance of the Secretariat in order to assume that responsibility. The Delegation then mentioned the principle of transparency and the strong gesture that it had made during the session of the PBC when, in response to a request, it had accepted that the program, which was specific to the Lisbon Union, should be listed separately in the budget. The issue in question had been decided upon and could be validated once the Program and Budget was adopted. It was seen by the Delegation as an important item, consistent with budgetary methodology. Finally, the Delegation mentioned the third principle of solidarity. At present the PCT was responsible for 76 per cent of the Organization's resources. It covered 90 per cent of the Organization's indirect expenditure and financed 13 programs, including Program 32, which did not have sufficient resources *per se*. The Delegation indicated that those three points should be borne in mind. The Delegation then expressed two expectations. The first was that international law would continue to be respected. It reminded the Assembly that 28 Member States had adopted and revised the Treaty and it hoped that WIPO's *modus operandi* would be respected. The second expectation was an appeal to all for moderation and restraint. The Delegation emphasized that it had time in front of it and that the Geneva Act had still not entered into force. It was doing its utmost, but it still needed time to sort out the issue.

116. The Delegation of the Republic of Moldova fully subscribed to the CEBS statement made by the Delegation of Romania, highlighting, however, that some issues were of particular interest to Moldova. The Delegation appreciated the work conducted by the Secretariat and Member States in ensuring the Organization's political and financial stability. Moldova would continue to support efforts aimed at further improving institutional governance and WIPO administered registration systems. The adoption of the Program and Budget for the 2016-2017 biennium was of utmost importance, and the Delegation encouraged all other delegations to work cooperatively on this issue so as to approve it by consensus during the WIPO General Assembly session. This would yield a sound and balanced document based on the existing unitary contribution system. The Delegation welcomed the adoption of the Geneva Act of the Lisbon Agreement and believed that any difficulties arising in relation to it could be addressed in the spirit of cooperation and fair play. The adoption of a DLT and a treaty on the protection of broadcasting organizations remained a priority for the WIPO Membership, including Moldova. The Delegation supported the harmonization and simplification objectives of these treaties and was convinced that their adoption, hopefully in 2016, would bring concrete benefits to industrial design applicants and broadcasting organizations. The path to innovative development remained a priority for Moldova. The adoption by the Government of the 2015-2017 Action Plan for the implementation of the National Strategy on Intellectual Property provided for concrete measures in building up a reliable national IP system. In 2015, a specialized Commission for Mediation and Arbitration in the field of IP was created, and some legal improvements were introduced to IP legislation making the national IP system clearer and easy to use. Moldova's ratification of the BTAP was another significant step. In line with its aspirations to join the European Union, Moldova signed an agreement with the EPO on validating European patents on its territory. The agreement would foster specific cooperation between the European Union and Moldova, contributing significantly to improving the national

innovation environment, when it entered into force on November 1, 2015. Measuring the impact of creative industries on the national economy is a matter of practical interest, and the Delegation thanked WIPO for having supported a relevant study in 2015. An international conference on IP innovation and development would be held in Chisinau on November 23 and 24, 2015, and WIPO Member States were invited to attend.

117. The Delegation of Afghanistan supported the statement made by the Delegation of India on behalf of the Asia Pacific Group and expressed its intention to continue cooperation with a view to boosting WIPO efforts to address the multiple challenges of the international IP system in the current rapidly changing global, commercial and technological environment. Afghanistan welcomed the proposal to establish new external offices and to institute transparent procedures and criteria for this purpose. It was clear that WIPO as one of the major UN agencies involved in promoting innovation and creativity to guarantee the economic, social and cultural development of all countries through an effective international IP system. In recent years, WIPO had organized numerous activities for Afghanistan, such as workshops, seminars and study trips for IP officials. Afghanistan needed to overcome the challenges it was facing in the implementation and enforcement of IP laws, such as a paucity of IP experts, limited awareness and lack of academic studies and operations. The Delegation extended its appreciation to WIPO and its management for providing the Government of Afghanistan with the necessary IP programs, noting that a realistic approach to IP rights was a novelty to Afghanistan. Consequently, the country looked forward to greater co-operation with WIPO on IP issues.

118. The Delegation of Botswana aligned itself with the statement made by the Delegation of Nigeria, on behalf of the African Group. It expressed disappointment at the lack of decisions taken at the previous year's General Assembly on critical issues of importance to Africa and other developing countries, such as the IGC, external offices and the SCCR. Nonetheless, the Delegation remained committed to engaging with other Member States with a view to reaching meaningful conclusions during the 2015 General Assembly. Accordingly, Botswana aligned itself with the African Group's proposal contained in document WO/GA/47/16 to convert the IGC into a standing committee. The Delegation supported the resumption of text-based negotiations on GR, TK and TCEs, with a view to establishing an international, legally-binding instrument to ensure the effective protection of GR, TK and TCEs. Like other African countries, Botswana was concerned by the absence of an external office in Africa. Given the benefits of external offices, the Delegation appealed to the General Assembly to approve two external offices for Africa during the 2016-2017 biennium, as had been proposed by the African Group. From the PPR, document A/55/6, the Delegation noted the progress on accessions to and ratifications of the Beijing and Marrakesh Treaties. Botswana was one of the first Member States to ratify the Beijing Treaty and looked forward to its implementation. It had also begun the process of acceding to the Marrakesh Treaty. A Companies and Intellectual Property Authority (CIPA) had been established in Botswana and was already fully operational. CIPA was embarking on reforms aimed at improving the effectiveness and efficiency of the protection afforded to business interests and IP. The Delegation was confident that, with the continued support of WIPO, CIPA would achieve those objectives for Botswana. It extended its sincere appreciation to WIPO for its continued support in the development and growth of Botswana's IP system. Together, WIPO and Botswana were transforming CIPA into a model IPO for registering IP rights online, improving access to IP services and enhancing service delivery. It recognized the need to improve its national creative industries and appreciated WIPO's move to support collective copyright management initiatives such as WIPO Connect. It called on WIPO to support copyright offices in the administration of copyright laws by developing and disseminating automated systems for recording copyright protected works, distributing authentication devices and administering private copyright levies.

119. The Delegation of Togo thanked the Director General, the Secretariat and all of the committees of WIPO for their work, which had resulted in the high-quality documents before the various meetings of the current Assemblies. It urged the Director General to maintain his

commitment to rely on progress made over the past six years in conjunction with essential WIPO programs, such as world IP services, policy formulation, capacity-building and strengthening of technical infrastructure. The Delegation expressed its gratitude to WIPO and the Director General for the multi-faceted assistance Togo received, in particular the organization in Lomé by WIPOLDC Division for Least Developed Countries of the national workshop on strategic IP use for economic and technological development on June 15 and 16, 2015, and the assistance with the alignment of Togolese law on copyright and related rights with the last treaties signed at WIPO, namely, the Beijing Treaty and the Marrakesh Treaty. Togo endorsed the statement made by the Delegation of Benin, on behalf of the LDCs and welcomed the cooperation between WIPO and the LDCs, which had led to the installation of TISCs, technical capacity-building for public- and private-sector stakeholders, support for the formulation of policies and strategies in the field of IP and innovation, easier access to research for development and to specialized patent information and, most recently, the transfer of appropriate technologies, which was of fundamental importance in the light of its contribution to development. Effective coordination and in-depth follow-up were needed to ensure the successful implementation of those activities and to generate synergy between the Director General's vision and his strategic management. Togo welcomed WIPO's activities in the field of development and creativity, which had led to job creation, especially in less well-off countries. The Delegation also appreciated the efforts made to give priority to development activities, given the key role of science, innovation and technology in promoting competitiveness and economic growth. Togo supported the continuation of efforts to improve the trademarks and industrial designs systems with a view to the creation of the database for goods and services in the Madrid System, the amendment of the implementing regulations common to the Madrid Agreement and Protocol, and the convening of a diplomatic conference for the adoption of the DLT, with the inclusion of a legal provision on technical assistance in the draft treaty to take due account of the different development levels of WIPO Member States. With regard to the work under way in the IGC, the Delegation restated its hope that negotiations would yield meaningful results, emphasizing that such protection would revitalize the socio-economic development of Member States. It urged the General Assembly to convene a diplomatic conference in 2016 and to give the committee a mandate to accelerate its work with a view to the adoption of one or more international legal instruments to ensure effective protection of GRs, TK and TCEs. WIPO Member States had to recognize the importance of creativity, not only for their cultures, but also as a driver of economic development. Accordingly, the time had come to establish fruitful partnerships between creators, WIPO and its Member States, which would lead to initiatives that could ensure a viable future for creators. Togo hailed the work of the CDIP with regard to its project on strengthening the capacity of national IP governmental and stakeholder institutions to manage, monitor and promote creative industries, and to enhance the outcomes and networking of collective copyright management organizations, on which an evaluation report had been presented at the CIDP session held in Geneva from April 20 to 24, 2015. In conclusion, the Delegation endorsed the statement made by the Delegation of Nigeria, on behalf of the African Group.

120. The Delegation of Oman congratulated the Chair on his election and wished him every success in his work during these Assemblies. It thanked the Director General and his team for the preparation of these meetings and related documentation as well as for their longstanding cooperation in promoting IP in Oman. The Delegation endorsed the statement made by the Delegation of India, on behalf of the Asia and Pacific Group. Oman attached great importance to mainstreaming IP for development. The Delegation stated the need for implementing all DA recommendations taking into account interests of developing countries in the field of IP. It expressed support for the renewal of the IGC mandate, further flexibilities in terms of copyright exceptions and limitations for education and research institutions and libraries. In conclusion, the Delegation reiterated its thanks to the Director General and his team for the continuous technical support provided to Oman, particularly in developing a national IP strategy.

121. The Delegation of Mongolia associated itself with the statement made by the Delegation of India, on behalf of the Asia and Pacific Group. The Government of Mongolia was strongly committed to the development of a balanced IP system allowing for the improvement of Mongolia's economic and social situation. Demonstrating its efforts in that area, in July 2015 the Government of Mongolia had adopted a national IP strategy, devised with the cooperation and support of WIPO. Mongolia was grateful for the visit of the Director General, which had had an important impact on increasing awareness of IP in Mongolia. During that visit, an important agreement had been signed between WIPO and Mongolia regarding the establishment of TISCs. The Delegation expressed the profound hope that the agreement would give impetus to innovation in Mongolia. In recent years, a number of international initiatives had been crowned with success, as evidenced by the conclusion of several treaties, which were important not only to IP, but also to humankind as a whole. Mongolia was pleased to announce that it had ratified the Marrakesh Treaty and hoped to submit the instrument of ratification of the Beijing Treaty before 2016. The Delegation urged Member States to increase their efforts to reach the common objective of validating these treaties as soon as possible. It was relying on the productive cooperation of Member States for the ratification of those treaties, which embodied the spirit of multilateralism that was one of the essential elements of the Organization. The Delegation expressed gratitude to the Secretariat for the assistance provided to Mongolia in the area of information technology (IT). Mongolia was pleased to take part in WIPO initiatives seeking to facilitate the work of institutions of Member States using the IT resources made available by WIPO. Finally, the Delegation expressed full support for the activities of the Organization during the Assemblies and regarding sundry projects.

122. The Delegation of Honduras endorsed the statement made by the Delegation of Brazil on behalf of GRULAC. It underscored the relevance of IP and expressed appreciation for WIPO's assistance, *via* technical cooperation, with the drafting of appropriate IP strategies and policies. The Delegation reported that the law on IP strategies and policies was being implemented nationwide in Honduras. It was also grateful for the joint efforts with WIPO to establish mechanisms for identifying products with the necessary quality and uniqueness to enter international markets in the form of geographical indications. The Government of Honduras was continuing to make progress in the field of technology transfers, setting up TISCs. At present, Honduras was the nation in the subregion with the most such centers: a total of 16. The country was also moving ahead in the area of copyright, as the National Congress of the Republic of Honduras had just adopted the instrument of accession to the Marrakesh Treaty. The Delegation expressed particular interest in the topic of copyright exceptions and limitations. It underscored the importance of continuing efforts with regard to TK and GRs, explaining that Honduras had traditionally been a pluricultural, multilingual and multiethnic nation, which currently had seven different ethnic groups struggling to maintain their own ethnicity and identity. Finally, the Delegation undertook to continue working with the WIPO Regional Bureau for Latin America and the Caribbean, voicing appreciation for the support provided through that body.

123. The Delegation of Antigua and Barbuda expressed confidence that innovation and creativity in leadership as well as judicious management of the agenda would be demonstrated at the meeting. Antigua and Barbuda supported the statement by the Delegation of Brazil, on behalf of GRULAC. The Delegation stressed that Antigua and Barbuda remained steadfast in its aspirations and commitment to creating a modern IPO and expressed appreciation to WIPO for coordinating successful meetings and workshops over the previous year and for the excellent administrative and technical support received. Antigua and Barbuda pledged to continue to partner with WIPO on issues and platforms of common interest and anticipated continued support from WIPO in its endeavors. The recent implementation of the IPAS in the country was a positive step in the creation of a modern IPO and the appointment of regional IPAS contacts had been of great assistance in the past and would continue to be so in the future; that type of training by WIPO was welcome. Antigua and Barbuda was aware of the importance of IP in its national development plans and goals and its Government had embarked

on an aggressive legislative and administrative agenda designed to ensure that the laws governing IP kept abreast of ongoing global developments in the sector. Antigua and Barbuda was revising its Patents Act and the relevant regulations would be passed shortly. It was also in the process of reforming its Trademarks and Copyright Acts and thanked WIPO for its support in that regard. It was a matter of common agreement that creative industries presented the greatest opportunity for new economic growth, particularly in music, sports and folklore. As a Small Island Developing State (SIDS), Antigua and Barbuda continued to explore how its creative industries could better contribute to its GDP. It continued its endeavors with many other government entities to ensure a greater appreciation and understanding of IP in all sectors and its work on branding projects regarding the Antigua Black Pineapple was ongoing. This fruit was considered to be the sweetest pineapple in the world and in the history of Calypso projects. Antigua and Barbuda was aware that its youth encountered IP systems daily, particularly in the area of technology. World IP Day 2015 had been celebrated and the Office and the Ministry of Education, in conjunction with its sponsors, had hosted a music video competition for primary and secondary schools nationwide under the theme "Get Up, Stand Up. For Music". The Delegation commended the work done in the Building Respect for Intellectual Property Division and hoped to see more achievements in that area. Local budgets regarding advances in technology had been cut and Antigua and Barbuda would welcome the addition of a children's page to the WIPO website to educate the youth to see the work that other Member States were doing in that area. Given the range of national initiatives, varying stages of IP development and growth and interest in IP generally in Antigua and Barbuda as well as in the wider Caribbean, it should be evident that the demands being placed on the Caribbean Section in the Regional Bureau for Latin America and the Caribbean were increasing tremendously. The WIPO External Offices added to the tasks of WIPO and could increase geographic diversity within the Organization, with consideration being given to opening another office in the region. The Delegation commended the work of the SCCR, the SCP and the SCT.

124. The Delegation of Austria associated itself with the statement delivered by the Delegations of Japan, on behalf of Group B, and by Luxembourg, on behalf of the European Union and its member states. With regard to WIPO's global goals and objectives, it fully supported WIPO's efforts to act as the international forum for in-depth dialogue on all matters relating to IP, and looked forward to jointly achieving further progress in developing the respective international legal framework. It was of the view that WIPO's normative work should be driven by evidence-based social and economic demands and needs, and after thorough assessment of the specific and overall impact should establish legal clarity and security. It also emphasized the ability and actual role of IP in stimulating creativity and innovation and thus contributing to economic, cultural and social development of all countries. It noted with appreciation the record of WIPO's activities and positive achievements outlined in the PPR for 2014 and the Director General's Report, highlighted especially by activities and programs with regard to technical assistance and information about expansions of membership to WIPO-administered treaties and growing use of international IP-system based on those treaties and Unions. In that respect it also took particular note of the successful Diplomatic Conference for the Adoption of a new Act of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, which had led to the Geneva Act. In particular, it welcomed the recent initiatives by Lisbon members to improve the financial sustainability of the Lisbon System and to increase the transparency of presentation in the Organization's budget. It shared the view that the Lisbon Union was and should continue to be an integrative part of WIPO's unitary contribution system and budget. It also noted with satisfaction the progress and positive developments that had been achieved with regard to the effective functioning of the international IP registration and filing systems operated by the International Bureau, especially the PCT and the Madrid Systems, which were the main generators of WIPO's income. It added that it would like to encourage the Organization and its staff to continue and even expand efforts and activities to further strengthen those systems in the next biennium, thereby maintaining a viable and efficient Organization and securing a balanced and effective international IP system for the benefit of all stakeholders. In order to safeguard the overall positive momentum and to



provide a sound financial framework for the Organization for the next years it was essential and imperative to approve the program and budget for the coming biennium at the meeting of the General Assembly. It sought to cooperate in a positive spirit with all Member States and the Secretariat in order to achieve a consensual and timely solution. With regard to the report of the last session of the SCCR it noted that despite emerging consensus on certain matters related to the protection of broadcasting organizations, a number of technical and complex matters still required further discussion, which explained why no agreement on recommendations to the General Assembly had been reached. It reiterated its special interest in finalizing the remaining work related to the protection of broadcasting organizations and emphasized that it was ready to seize opportunities to implement limitations and exceptions into national legal frameworks based on the flexibilities offered by existing international treaties. It stated that it was convinced that a viable and harmonized patent system would be beneficial for all stakeholders, i.e. Member States and users, and noted the report on the 21<sup>st</sup> and 22<sup>nd</sup> session of the SCP. It welcomed the positive decision on a future work program in which with the five topics selected reflected existing different priorities in a balanced manner. It believed that topics such as "Quality of Patents, including Opposition Systems" and "Client-Patent Attorney Privilege" and respective findings and conclusions to those topics had the potential to further improve the patent system as a whole in the short term. It also took note of the results of the recent deliberations of the SCT and of the subsequent proposal of the United States of America to mandate the SCT to review the Geneva Act of the Lisbon Agreement which, due to institutional and legal concerns, it was not able to support. With regard to the Convening of a Diplomatic Conference for the Adoption of a Design Law Treaty, it further highlighted the importance of the topic of harmonization and simplification of design registration and formalities, which, taking into consideration the status of work and progress achieved so far, deserved to be elevated to the level of a diplomatic conference as soon as possible. In order to come to a positive decision at the General Assembly, it stood ready to consider options to solve the still outstanding matter of technical assistance as presented in the non-paper of the DLT-Facilitator. It also took note of the information about work in the CDIP, which in its fourteenth and fifteenth session, continued to discuss the implementation of the recommendations of the DA. The respective reports and documents considered by the committee, the PPR for 2014 and the various reports of relevant WIPO bodies in their entirety represented numerous positive developments and achievements of that important initiative to further enhance the development dimension in WIPO. It was convinced that the envisaged independent review of the DA would provide essential food for further thoughts. On the subject of the report on the work of the IGC, it noted that, following the unsuccessful attempt to adopt a future work program for the IGC at the General Assembly in 2014, efforts made since then had failed to lead to a breakthrough due to continued divergent views on substantial matters. It therefore shared the belief that the mandate of the IGC should not be renewed in its current form and that alternative ways and means to deepen a common understanding of basic and substantive elements of the subject matter under discussion should be taken into consideration. Representing an ISA and IPEA under the PCT, Austria had played an active role in the deliberations of the PCT Working Group. It expressed its full support for the proposed amendments to the PCT Regulations as contained in document PCT/A/47/4 and the recommendations concerning the future work of the PCT Working Group in document PCT/A/47/1. Convinced that a manifold and continuously developing family of PCT-Authorities was beneficial to the system and its users, it looked forward to positively considering the request to appoint the VPI as an ISA and IPEA in the PCT-Assembly as it had done in the meeting of the Committee for Technical Cooperation. Drawing attention to the convincing documentation and presentation, its support was especially based on the excellent experience it had gained during previous cooperation activities between the participating offices and the Austrian Office. Regarding the Madrid System, it noted with appreciation the Final Reports on the Information Technology Modernization Program and the Progress Report on the Goods and Services Database and the results achieved so far. The result was that users and offices of contracting parties had been offered improved and up-to-date services with regard to registration and administration of international marks. Having taken active part in the twelfth session of the Working Group of the Madrid System, it expressed full support for the recommendations for

amendments to the Common Regulations as contained in document MM/A/49/3. Finally, it assured the membership and the management of WIPO of Austria's on-going support in the pursuit of WIPO's global goals.

125. The Delegation of Brunei Darussalam, speaking in its national capacity, said that, over the past year, its country had seen new developments in the field of IP, many of which could not have been achieved without the unwavering support of WIPO. Its IPO was moving from simply developing new systems to a focus on the use of IP. With assistance from WIPO, Brunei Darussalam had drafted and adopted its first National Intellectual Property Strategy (NIPS), a policy paper that sought to help the State to place IP in the service of its development goals. The Strategy's themes, which included greater promotion of innovation, advanced public awareness strategies and the commercialization of IP, were proof of the country's progress; only three years ago, it had not had so much as a stand-alone patent law. Brunei Darussalam had spent a great part of 2015 in planning for the establishment of its first TISCs in the hope that they would expose innovators and researchers to new technologies and provide them with a center in which to carry out IP-related research and development projects. It was hoped that, with continued WIPO assistance, the first such Center would be established by the end of the 2015. During the past year, Brunei Darussalam had also been working to improve back-end services while planning improvements in the front end. The IPO had been using the IPAS since 2013 with significant improvements in the turnaround time of applications. In line with its desire to improve efficiency and convenience, the Office was working to achieve a paperless system for IP applications, including by introducing the WIPO EDMS and digitization projects. Brunei Darussalam had also begun to look at work-sharing initiatives in 2015 as a way to streamline the Office's examination process. In 2015, it had introduced the WIPO GBD and hoped to become a depositing member of the WIPO-CASE System in the near future. It had adopted a plant variety protection (PVP) system and was moving closer to the goal of having a fully-fledged IPO that brought all forms of IP under one roof. In implementation of the ASEAN Intellectual Property Rights (IPR) Action Plan 2011-2015, the Government fully intended to meet its target of acceding to remainder of the core international IP treaties, including the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, by the end of the current year. In short, support from WIPO in 2015 had continued to be transformative, evolving and adapted to the needs of a small and growing IPO with goals that changed from year to year.

126. The Delegation of Benin, speaking in its national capacity, said that its country greatly appreciated the multi-faceted assistance it had already received and continues to receive from WIPO, as reflected by the holding, in May 2015 in Cotonou, of the workshop to validate the national IP strategy document for which the Organization had funded a prior feasibility study, as well as the holding, in July 2015 in Cotonou, of the national awareness-building and information workshop for judges and customs officers on IP issues. Benin, which had chaired the LDCs Group for the past two years, welcomed the cooperation activities and close collaboration between WIPO and the LDCs, which had made it possible to set up TISCs, provide technical capacity-building for public and private-sector stakeholders, and facilitate access to research for development and specialized patent information, as well as the transfer of appropriate technologies to that end. The Delegation encouraged the Director General to provide close coordination and follow-up in order to ensure the success and sustainability of activities undertaken. Benin welcomed WIPO's activities in the field of development and creativity, which had led to the creation of jobs, particularly in the LDCs. The Delegation further hailed efforts made to give priority to development activities in recognition of the central role of science, innovation and technology in promoting States' competitiveness and economic growth. Benin supported the continuation of efforts to improve the trademark and industrial design systems with a view to the elaboration of a database for Madrid goods and services, the amendment of the implementing regulations common to the Madrid Agreement, and the convening of a diplomatic conference to adopt a treaty on industrial design law with the inclusion of a legal provision on technical assistance in the draft treaty to take due account of the different

development levels of WIPO Member States. With regard to work under way in the IGC, the Delegation reaffirmed its interest in concluding negotiations, underscoring that such protection would help further Member States' socio-economic development. It encouraged the General Assembly to convene a diplomatic conference as soon as possible and to give the IGC a mandate to expedite its work with a view to the adoption of one or more international legal instruments to ensure effective protection of GRs, TK and TCEs. WIPO Member States, particularly LDCs, had to recognize the importance of creativity, not only for their culture but also as a driver of economic growth. The time had therefore come to establish fruitful partnerships between creators, WIPO and its Member States, leading to initiatives that would ensure a lasting future for creators. Benin hailed the work of the CDIP, in conjunction with its project on strengthening the capacity of national IP governmental and stakeholder institutions to manage, monitor, and promote creative industries, and to enhance the performance and network of copyright collective management organizations. In conclusion, the Delegation endorsed the statement made by the Delegation of Nigeria on behalf of the African Group.

127. The Delegation of Burkina Faso associated itself with the statements made by the Delegation of Nigeria, on behalf of the African Group, and Benin, on behalf of the LDCs. Nowadays, IP offered real prospects which provided ideal solutions to the various challenges that Member States were forced to deal with on a daily basis. Burkina Faso was aware of the key role that IP had to play and supported the proposal to turn the IGC into a standing committee. As a matter of fairness and in view of the economic results of the African region over the last few years, the Delegation declared that it was in favor of opening two external offices during the 2016-2017 biennium. Implementation of the project for the "Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries" had continued in the form of a workshop which took place in Ouagadougou on September 15 and 16, 2015. The workshop brought together actors from the audiovisual world of Burkina Faso and Senegal. The Delegation added that it was convinced that positive outcomes could be achieved at the Assemblies and reiterated that it was ready to assist in a positive manner in the discussions of the agenda items.

128. The Delegation of Croatia expressed its appreciation to WIPO for its efforts since the previous Assemblies to maintain the Organization's place as the global IP authority and for its activities and initiatives in the development of the IP system, its positive financial results and sound financial management during the ending biennium. The WIPO Secretariat and Member States should continue to improve WIPO governance in order to overcome the Organization's future challenges. The Delegation hoped that through constructive dialogue, WIPO Member States would overcome their differences in regard to the Lisbon Union and other issues so that an agreement could be reached regarding the draft Program and Budget 2016-2017. Croatia particularly supported WIPO's efforts for its effective functioning and further development of the international IP registration and filing systems as key assets of the Organization. Croatia deeply appreciated its fruitful cooperation with WIPO and was committed to further developing the cooperation framework between WIPO and its Members States. In that respect, Croatia hoped for a more nuanced and targeted approach based on Member States' performances in the field of IP. WIPO's recent work in economic studies and IP-related statistics was a solid base for a more sophisticated approach. Regrettably, little or no progress had been made in the work of most of WIPO's specialized committees during the previous year, particularly in norm-setting. The Delegation, as always, attached great importance to cooperation as a means of achieving the adoption of a formality treaty on industrial designs which would undeniably benefit users in all Member States. Accordingly, Croatia supported the convening of a diplomatic conference for the adoption of the DLT, although the prospect was now even more remote than ever. The Delegation hoped for a more constructive approach that would allow progress in all WIPO committees, in particular for the adoption of the DLT. Croatia strongly supported and was committed to accomplishing those goals. The Delegation also attached great importance to training and education on different aspects of the IP system, recognized the importance of the accomplishments of the WIPO Academy and the ongoing reform process to reposition the

Academy as the Organization-wide vehicle for professional training and capacity and a centre of excellence. The Academy of the State Intellectual Property Office of the Republic of Croatia was active in developing and offering training both alone and in collaboration with other organizations. Croatia supported the development of regional summer schools supported by WIPO and was prepared to contribute thereto with its experience of organizing six such summer schools in Croatia in cooperation with the WIPO Academy. Thanks to the Academy, a local version of WIPO's most popular distance learning programs had been established, beginning in 2014 and also covering neighboring countries. In the same vein, Croatia appreciated WIPO's support and cooperation in the Organization of the remarkably successful public seminar "Copyright in the Digital Age" held in February 2015 in Zagreb. The Delegation recognized the growing problem of counterfeiting and piracy, with significant adverse effects on the economy, employment and security; awareness-raising, training and education could contribute to limiting the adverse effects. Joint activities undertaken by enforcement bodies and other stakeholders in Croatia had therefore been under way for a number of years to raise public awareness of IP rights. Effective coordination among enforcement bodies and other stakeholders, was crucial, not only in those matters, but also in other activities aimed at further strengthening IP enforcement in Croatia, which was prepared to share its experience with other Member States within the framework of the ACE. The Delegation expressed its appreciation to all Member States for their cooperation.

129. The Delegation of the Czech Republic said that it associated itself with the statements made by the Delegation of Luxembourg, on behalf of the EU and its member states, and by the Delegation of Romania, on behalf of the CEBS Group. The Delegation expressed its continuing support for WIPO in its key role of maintaining and developing a balanced and effective international IP system to protect innovation and creativity. In view of the many challenges presented by the system's further development, the Delegation attached great importance to the adoption of the draft Program and Budget 2016-2017 and welcomed the improvement of the international normative framework for IP protection. As a party to the Lisbon Agreement, the Czech Republic welcomed the adoption of the Geneva Act and was convinced that the resulting modernization of the Lisbon System and the Act's flexibility would benefit all contracting parties. It called for solutions to ensure the full transparency and long term financial sustainability of the Lisbon Union and stood ready to consider and accept appropriate measures in that respect. The Delegation continued to share the view that the substantive provisions of the draft DLT were sufficiently mature for a diplomatic conference to be convened with a view to its adoption in 2016. It attached great importance to the work of the SCP and to the further discussion of technical issues of patent law with a view to patent harmonization. The Delegation regretted the current stalemate in the SCCR and believed that the Member States could find a way to convene a diplomatic conference to adopt the draft treaty on the protection of broadcasting organizations during the next biennium on the basis of a clear roadmap. It continued to support the ACE's efforts to increase awareness of the importance of an effective enforcement system for IPRs and remained committed to the work of the CDIP. The Delegation also recognized the importance of the work of the IGC but, in light of the Committee's failure to reach agreement, it shared the view that alternatives for continuing that work should be considered. It supported the designation of the VPI as an ISA/IPEA under the PCT. Lastly, the Delegation drew attention to the Czech exhibit, "120 Years Škoda Auto: Simply Clever Since 1895", held during the Assemblies and organized in cooperation with WIPO. Its objective was to celebrate Škoda's anniversary as one of the five oldest car manufacturers and to highlight the importance of IP protection for creation and innovation. It thanked the Director General for his support and participation in the opening ceremony of the exhibition.

130. The Delegation of Denmark noted that companies and public research institutions around the world were facing significant economic and financial challenges. They also operate and compete in an increasingly globalized environment. Against this background IPRs are crucial to the promotion of economic, social and cultural development. WIPO plays a key role in protecting IPR globally through inter-state cooperation as prescribed in Article 3 of the WIPO Convention. Hence, WIPO must constantly be empowered to deliver appropriate, cost-effective IP services and thus provide users with premier products. Denmark acknowledged WIPO's efforts to improve the global IP systems (PCT, Madrid and the Hague), provide new IT services to users, institute user-friendly amendments and increase efficiency. Denmark congratulated the Secretariat and WIPO on the adoption of the Geneva Act of the Lisbon Agreement. As to the DLT, it was disappointing that the SCT had been unable to report any progress. Denmark considered that work achieved was sufficiently mature for a diplomatic conference. With regard to the work of the committee, national offices constantly focused on performance and tangible results. Cost-benefit analyses were carried regularly for all tasks. Denmark regretted the limited outcomes on substantive issues in the standing committees and took the view that working methods at WIPO should be reviewed. It raised the possibility of replacing standing committees with more *ad hoc* working committees at technical expert levels. Political issues should be dissociated from technical expert issues. Addressing the relevant issues at the relevant level would result in more efficient meetings and benefit all stakeholders. The Delegation welcomed the effort of the Secretariat to implement the DA and emphasized that WIPO had an important role to play in bringing the issue of IP to the attention of development stakeholders. The inclusion of the DA recommendations must be consistent with the overall goal of WIPO as stated in the WIPO Convention, "to promote the protection of IP throughout the world through co-operation among states". DA recommendations should be implemented as part of WIPO's overall goals. As regards IP in Denmark, the Danish Parliament has recently adopted a bill, establishing an Enforcement Unit in the Danish Patent and Trademark Office (DKPTO) to provide businesses, consumers and public authorities with guidance on infringement and enforcement issues. The Enforcement Unit would consolidate the close cooperation between the authorities in their efforts against IPR crimes. The Nordic Patent Institute (NPI) continued to deliver high-quality search reports to its applicants in 2015. It was a leading PCT authority in terms of timely delivery of search reports and an active member of various WIPO forums dealing with PCT and patents in general, in particular the Meeting of International Authorities (MIA) and the PCT Working Group. Denmark restated its continuing commitment to making positive, constructive and pragmatic contributions to WIPO and its bodies. The efficient functioning of WIPO's global IP services was important to Danish users and the Delegation urged WIPO to deliver world-class services.

131. The Delegation of Guinea congratulated the Chair on his election, and the Director General and the International Bureau of WIPO on the quality of the report submitted and on their excellent organization of the Session. Guinea supported the opening of two WIPO External Offices in Africa as proposed by the Delegation of Nigeria on behalf of the African Group. Its Government was firmly committed to incorporating IP into its development policies and strategies. By presidential decree, the National Committee on Development and Intellectual Property, established by the Prime Minister, and the National Committee on Geographical Indications had been raised to the rank of advisory bodies under the Ministry of Industry, Small and Medium-sized Enterprises and Promotion of the Private Sector, which was responsible for IP issues. In 2015, with a view to better promotion of the IP system in the country, the Minister of Industry had requested and received the consent of the Director General of WIPO to establish a network of TISCs for, among others, research institutions, universities, enterprises, local researchers and the business community in Guinea. The State viewed the protection of geographical indications as a means to economic development and poverty reduction. As the first of Guinea's geographical indications to be granted protected status by ARIPO, Ziama-Macenta coffee was progressively transforming the quality of life of operators in that production sector. The Delegation welcomed the good cooperation between Guinea and WIPO. It was confident of the Organization's support and requested its assistance in launching

the TISC network in the near future; that network, in synergy with the activities of the OAPI IP documentation center in Nongo-Conakry, would doubtless make it possible to meet the needs of local IP users.

132. The Delegation of Guinea-Bissau expressed its satisfaction and gratitude for the training support and capacity building that WIPO had given to the country and mentioned the positive cooperation that existed between WIPO and Guinea-Bissau for many aspects of IP. It also supported WIPO policies on the protection and management of IP throughout the world, particularly within the Community of Portuguese-speaking countries (CPLP). The Delegation also highlighted the support that WIPO had given to human resources training in Guinea-Bissau, especially with regard to the Masters program which was organized jointly by WIPO and OAPI in conjunction with the University of Yaoundé II, the intermediate course in IP and distance learning *inter alia*. The Delegation further thanked WIPO for creating a post for a Portuguese speaker inside the UN organization, which dealt with IP, stating that such a post would facilitate exchange between WIPO and Portuguese-speaking countries. Between 2012 and 2015, OAPI had helped the Office in Guinea-Bissau to organize a large number of activities, including media and awareness raising campaigns which were designed to increase understanding of the importance of IP in daily life among all of the actors of the system, namely officials from the public and private sectors, customs officers, university lecturers, research institutions, journalists, lawyers, economic agents, craftsmen, inventors, innovators, etc. Those activities had resulted in increased filing rates, mainly for industrial designs and models. In 2013 Guinea-Bissau created the National Committee for Geographical Indications (CN-IG), the National Committee for Coordination and Development of Intellectual Property (CNC DPI) and the Guinea-Bissau Association for the Promotion of Invention and Innovation (AGPI). In an economy where intangible assets were synonymous with growth and development and where the transformation of national products required mastering the appropriate technology, Guinea-Bissau hoped that it would be able to benefit from a TISC during the course of the year in order to further promote the concept of IP. The Delegation was still waiting for a reply from WIPO with regard to its request for a mission of experts to help the National Follow-Up Committee for Geographical Indications prepare applications of national products that met the required conditions for protection as geographical indications as part of the PAMPIG project organized by OAPI. As an agricultural country, Guinea-Bissau thanked WIPO for holding the Diplomatic Conference for the Adoption of a new Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, which would provide the country with easy protection for its agricultural products. To conclude, the Delegation encouraged WIPO to continue its policy of modernizing IP. It supported the statement made by the Delegation of Nigeria, on behalf of the African Group, and the statement of the Delegation of Benin, on behalf of the LDCs, and wished the Assembly every success.

133. The Delegation of Iceland wished to thank WIPO for the continued cooperation and strong support in various aspects of IPRs. It was of high importance for a small country with limited resources in, for example, education and retraining in this field to have access, not only to a wide variety of information and guidelines on the new and improved website but also to experts in this field for “hands-on” assistance and deeper dialogue on various topics. The importance and interest of the international filing systems, namely the PCT, Madrid and the Hague Systems was ongoing in Iceland with stability reached in the number of filings in the last two years. In 2015, the number of filings of especially Madrid and PCT applications had seemed to be rising again. This continuous growth had led to the renewal of the Icelandic Patent Office (IPO) filing systems and IPRs registers. A new Trademark Register was launched in the summer of 2015 and in the upcoming months focus would be set on Design and Patent registers. In relation thereto, the IPO was exploring possibilities for accessing the Madrid Goods and Services Database and promoting the using of ePCT. On November 20, 2014, a conference was held at the National Museum of Iceland, a cooperative project of WIPO, the IPO and the University of Iceland. The theme was: Cooperation on IP Awareness and University Technology Transfer. The main aim of the conference was to raise awareness on IPRs in

relation to the exploitation of research and promote discussion on the importance of innovation for Iceland. The conference saw the participation of WIPO's Director of the Operations Service of the Madrid Registry and a WIPO IP consultant addressed the following topics: Exploiting university innovation: Spin-outs and licensing and Sponsored research funding. Subsequently, the Director of the Operations Service of the Madrid Registry and the WIPO IP consultant, met with officials of the Ministry of Industries and Innovation, to provide input on the formation of a national strategy for IPRs in Iceland. The steering committee on the national IP strategy intended to present a finalized product next spring. During 2015, the Director General of the IPO, participated in events in Republic of Korea and Norway. Only minor changes had been made in national law relating to IPRs last year but a few provisions of the Patent Act were under review. In December 2014, the Icelandic Parliament passed a new Act on Geographical Indications. The act provided for protection of product names as designation of origin, geographical indications or traditional specialty. The changes made to the Lisbon Treaty in May 2015 and possible accession by Iceland were being reviewed by the Ministry of Industries and Innovation. Iceland hoped to organize seminars on ePCT and Madrid in the not too distant future.

134. The Delegation of Kenya reaffirmed its support for the position taken by the Delegation of Nigeria, on behalf of the African Group. In the 21<sup>st</sup> century, creativity and innovation had become key drivers in addressing the challenges posed by disease, hunger, poverty and unemployment. More importantly, they played a central role in mitigating the negative effects of climate change and desertification and provided solutions to issues of access to medicine, food security and preservation of biodiversity. In that regard, the Delegation noted with appreciation the programs and activities undertaken during the 2014-2015 biennium in Kenya with WIPO's support. These activities included the following: technical support in upgrading and maintaining the IPAS and its interfacing modules at the Kenya Industrial Property Institute (KIPI); deployment of an EDMS for current files and ongoing plans for digitization of old files; WIPO's continued support for the TISC project to increase public access to available scientific and technical information; Kenya's inclusion in the CDIP pilot project on the strengthening of the audiovisual sector; awareness-creation symposia for relevant members of the public; support for the creation and the strengthening of Kenya's institutional capacity for exploitation of TK-based assets; KIPI/WIPO/NIPO training on a global patent quality project. All these efforts clearly showed that the WIPO DA had produced results in Kenya. The DA incorporated a number of projects that were critical to Africa: the development of national IP policies and implementing strategies were worth mentioning. The Delegation saluted the Governments of Japan and the Republic of Korea for setting up a Funds-in Trust (FIT) for Africa, which had already benefitted a number of Kenyan trainees. It was Kenya's firm belief that more developing countries in Africa could also benefit. The Delegation underlined the urgency of a common understanding on the need for progress on issues relating to protection of TK, GRs and TCEs. Kenya was anxious to see dedication to the mission of the IGC and full backing by all Member States for a speedy conclusion on pending issues affecting patent disclosure, access to GRs, TK and TCEs. Kenya was particularly concerned at the stalemate in the IGC and urged Member States to consider seriously either to renew the mandate with specific timelines or, better still, make the mandate permanent. The Delegation restated Kenya's strong support for the proposals for the renewal of the IGC's mandate and for the proposal by the African Group to convert that Committee to a WIPO standing committee. Kenya was concerned at the reduced status of the Creative Division and the Regional Bureaus, reflected in the financial and human resource allocation, and it would like to see a review of the decision to stop support for WIPOCOS and GDA programs, critical for many developing countries. Unlike the industrial property offices, copyright offices would not receive support for automation. Kenya urged WIPO to reconsider that decision and devise a system for supporting copyright offices in developing countries. In countries like Rwanda, the IPO had been able to customize the IPAS for copyright offices. Kenya was also concerned about the curtailing of the work that had been done on studies on the economic impact of copyright-based industries. The Creative Industries Division had issued reports that had been of great assistance to developing countries,

especially with regard to the recognition of the role of creative industries in economic development. That service had been crucial and WIPO was urged to reconsider its decision. In collaboration with other international agencies, the Government of Kenya, through its IPOs, continued to encourage the public to appreciate the use of IP and innovation as stimulants to the added value of local products and demand in the global market. The Government in collaboration with WIPO was exploring prospects for leveraging the market potential of Kisii soapstone through innovation and IPRs. A team of experts from WIPO and Kenya had made a second visit to Kisii County to further explore, discuss and validate a feasibility study that had been commissioned by WIPO during the team's first visit. The Delegation was grateful to WIPO for its continued support in the ongoing physical infrastructure development at the industrial property institute on the deployment of an EDMS as well as training staff members through various WIPO programs, seminars and workshops. That support was clear testimony that WIPO remained focused on specific needs and expectations for the consistent growth of industrial property administration systems in Kenya. The Delegation noted that the annual World IP Day was an important event for promoting IP worldwide. The 2015 celebrations in Kenya had been geared towards recognition, and awards had been made to carefully evaluate local champions in creativity and inventiveness. WIPO's trophy and medal to Kenya on this occasion were awarded to winners in the creative industry and inventors from Kenya's Ministry of Defense. The Delegation wished to thank WIPO sincerely for the support it had extended to Kenya for this event.

135. The Delegation of Lesotho fully supported the statements made by the Delegations of Nigeria, on behalf of the African Group, and Benin, on behalf of LDCs, and emphasized that it associated itself with the proposal of the African Group concerning external offices. Two of those offices should be located in Africa. African economies were advancing at a rapid pace and there was a need to raise the level of IP development. Lesotho earnestly believed that the presence of external offices in Africa would greatly contribute to the development of IP in general and also efficiently advance the awareness and administrative infrastructure of IP. Lesotho supported the proposal to convert the IGC into a standing committee. Fourteen years were a long time for discussions in the IGC not to yield any results. The time had come to employ a different strategy that would culminate in a legally binding international instrument for the protection of TK and TCEs. The Delegation considered that these issues were crucial and should be accorded the priority they warranted. Africa was richly endowed with TK and TCEs and there was a need for legal instruments to curb the misappropriation of such valuable assets. The Delegation had taken note of developments regarding the DLT and further consultation was necessary. Lesotho had gratefully benefited and continued to benefit from WIPO's technical assistance. The Delegation urged WIPO to assist Lesotho further with the establishment of technology transfer centers, so as to close the knowledge gap and encourage creativity. Lesotho had benefitted from the cooperation between WIPO, ARIPO and the Africa University. It had also benefited from the Master's Degree program in IP offered at the Africa University, which had created a large number of IP graduates. Through cooperation with advanced IPOs, the WIPO Academy had also organized training at those offices for citizens of Lesotho, which was deeply grateful to all concerned. With the assistance of WIPO, Lesotho had participated in various workshops on building respect for IP. Such workshops were greatly appreciated as they enabled legal practitioners and enforcement officers to deal with IP infringements. Lesotho had received tremendous support for the ongoing deployment and implementation of IPAS, and had participated, at WIPO's invitation, in a regional seminar on IPAS operations in Namibia.

136. The Delegation of Liberia was grateful for the enormous support extended to Liberia under the leadership of the Director General. It aligned itself with the statements made by the Delegation of Nigeria, on behalf of the African Group, and the Delegation of Benin, on behalf of the LDCs. Liberia was grateful for WIPO's continued technical and financial support for the development of the Intellectual Property System (IPS), particularly in LDCs. With WIPO's support under the Intellectual Property Development Plan (IPDP), there had been considerable progress in crafting legislative tools for the enhancement of IP in Liberia. Moreover, still with



WIPO support, and with the political will of the Government of Liberia, all of the WIPO and ARIPO Conventions, Protocols and Treaties that Liberia had acceded to, together with the amended copyright and industrial property laws, had been ratified and enacted by the Liberian legislature. Liberia hoped to accede to the Beijing Treaty during the 2015 Assemblies so that it could be ratified by the Liberian legislature in early 2016. Efforts were under way to buttress the Liberia IP infrastructure and Liberia hoped for technical support for the establishment of the new IPO. Five Collective Management Organizations (CMOs) had also been formed. However, these organizations required continuous technical assistance for capacity development. The Delegation was grateful for training provided, which was helping to upgrade the capacity of employees at the offices of the IPS. Further training was required for lawyers, especially in IP enforcement, to help combat escalating piracy and other infringements in Liberia. During the 54<sup>th</sup> WIPO Assemblies, the Delegation had made certain requests as to the hosting of a judiciary workshop for the Liberian judiciary. The recent health crisis having made such an event impossible, the Delegation requested that the activities be implemented in 2016. Such critical training opportunities were necessary to enhance IP enforcement in accordance with the new IP law. Liberia was grateful to the USPTO, ARIPO and WIPO for hosting a successful and beneficial enforcement training workshop on IP in Accra, Ghana, in September 2015, for member states of ARIPO. The workshop had focused on counterfeit medicines. The Delegation was also grateful to ARIPO for its new dynamism which had seen the hosting of the roving seminar in Liberia prior to the health crisis. Although the crisis had precluded the hosting of the ARIPO Ministerial Conference, the Delegation hoped that ARIPO would consider Liberia in the next selection for the hosting of its next Ministerial Council. Finally, thanks to the support of WIPO, Liberia was able to introduce the benefits of IP to its SMEs at the annual SMEs conference in April 2014. The conference for 2015 would be held on November 17 and 18, 2015, with a focus on highlighting youth innovations for economic empowerment. Liberia would be grateful for WIPO's participation.

137. The Delegation of Montenegro reported that the Director General had visited Montenegro in early July 2015 for a number of high-level meetings during which he had restated WIPO's support to the Montenegrin IPO and the Ministry of Economy. In 2015, Montenegrin scientists had won the WIPO Medal for Inventors during the "Montenegrin Open Science Days", hailed for helping to stimulate and recognize creativity and innovation. Montenegro had participated in the Diplomatic Conference for the Adoption of the New Act of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (the Geneva Act) and fully supported the adoption of the new treaty and its rationale because Montenegro strongly believed that it accomplished the key goals of increasing the membership and perpetuating the concept underlying the Lisbon System. The Delegation associated itself with the statements made by Romania, on behalf of the CEBS Group. Montenegro supported WIPO's efforts to further develop the international normative framework for IP and its response to new global challenges and remained dedicated to the work of all WIPO committees and working groups. The Delegation stated that the International Bureau was providing the best global services under the PCT, Madrid, Hague and Lisbon Systems within the Department for Transition and Developed Countries, which had assisted the Intellectual Property Office of Montenegro (IPOM) to participate in various WIPO institutions, conferences and seminars. Montenegro had fulfilled all its obligations under the European Roadmap for 2014/2015 in accordance with the criteria agreed with the European Commission and was actively cooperating with the EPO in preparation for accession to the European Patent Convention. Montenegro had enacted a Law on Patents on August 6, 2015. The key innovation was a provision on evidence of patentability in Article 46, which opened a new legal avenue for patent protection. Montenegro also actively maintained its cooperation with OHIM, which had supported the IPOM. The Government of Montenegro has also tabled before Parliament new instruments to govern trademarks, industrial designs, semiconductor topographies, copyright and related rights. The Delegation was dedicated to contributing positively and constructively to the success of the Assemblies.

138. The Delegation of Niger noted that once again the Assemblies had been asked to deal with two important questions, namely the convening of a diplomatic conference on industrial designs and models and the continuation of negotiations within the IGC. The Delegation welcomed the progress that had been made with regard to the negotiations inside the IGC but regretted the impasse that had occurred in its work over the course of last year. Within that context, it hoped that negotiations inside the IGC would resume and continue with a view to convening in the short term a diplomatic conference on such issues. In keeping with the action plan that had been adopted at the 4<sup>th</sup> United Nations Conference on the Least Developed Countries, the Delegation encouraged WIPO to step up its assistance with LDCs. It specified that the Government of Niger was in the process of implementing a Plan for Economic and Social Development that was based on the vision of an open society that placed great emphasis on knowledge and technological innovation. In that respect, the Government found that the TISC initiative was a useful tool that enabled it to achieve certain development objectives. For that reason it had set up TISCs in all of the major universities of the country. The Delegation continued by saying that the Government had expressed its gratitude for the assistance that it had received when setting up the TISC in the country's leading university but was still waiting for the expert mission to launch the activities of the Universities of Maradi and Zinder. The Delegation supported the statements made by the Delegations of Nigeria and Benin, respectively speaking on behalf of the African Group and the LDCs Group.

139. The Delegation of Norway believed it was important to improve Member States' ability to monitor the economy and administration of WIPO and welcomed the continued efforts to this end. It commended the International Bureau for its continued focus on securing the best available global services under the PCT, Madrid and Hague Systems, adding that smooth systems, ongoing dedication to simplification and cost-savings for the benefit of users were crucial to the continued and increased use of these global IP-services. Norway supported the efforts of the working groups under these systems, which were making progress towards improving regulations, guidelines and practices in the interest of the existing and future users of the systems. The Delegation looked forward to the convening of a diplomatic conference for the adoption of the DLT and regretted the delay in the adoption of this Treaty, which would simplify the situation for a great number of innovators worldwide. Although the developments at the last meeting of 2014 had been unfortunate, the constructive discussions of March 2015 had renewed hopes of resolving outstanding matters, thus allowing the SCT to proceed with the preparations for the treaty. Norway would welcome an agreement on a renewed mandate for the IGC following a year of stagnation. Although there were divergent views on and interests in the work of the IGC, the Delegation believed it was possible to reach an agreement on a mandate allowing for further work in a manner acceptable to all parties. Consequently, compromise was most essential and highly encouraged by the Delegation. The Patents Act of Norway had been amended with effect from July 2015 in order to allow for special mortgage rights in patents, patent applications, supplementary protection certificates and licenses in such rights. Similar amendments had been made in the Law on Plant Breeders' Rights. The Norwegian Industrial Property Office, in cooperation with the Directorate of Customs and Excise and the Ministry of Culture, and with the financial support of the Ministry of Trade, Industry and Fisheries, had set up an Internet site ([velgekto.no](http://velgekto.no)) promoting genuine goods, legal content and awareness building in the fight against counterfeiting and piracy. Norway had also set up a governmental network with nine participating authorities to improve coordination and cooperation in fighting such infringements. Both NORCODE and the Norwegian Industrial Property, in cooperation with WIPO Academy, had provided technical assistance in the form of various training programs last year.

140. The Delegation of Serbia, emphasizing that IP contributed to the economic, cultural and social development of all countries by fostering creativity and innovation, recognized the activities and positive achievements of WIPO in the previous period, especially in strengthening the global IP protection system and serving as an international forum for in-depth dialogue on various fields of the IP system. Serbia recognized the importance of WIPO's norm-setting role

and highly appreciated the progress which led to the successful diplomatic conference of May 2015 that resulted in the adoption of the Geneva Act of the Lisbon Agreement. The most important activity for Serbia in the previous year had been the opening of negotiations for European Union membership. IP rights had been part of the screening process conducted by the European Union in October and November 2014. Serbia was still waiting for the European Union screening report which is an important milestone in this process, while working on further alignment on European Union laws. Continued efforts to strengthen IPR enforcement in Serbia had led to the establishment of a Governmental Coordination body on IPR enforcement to promote specific enforcement areas, such as public awareness, data exchange, cooperation with rights holders, as well as Serbia's new National IP Development Strategy which is still under preparation. Accordingly, there was need to modernize WIPO's approach to cooperation with countries like Serbia which were in the process of final transition, but still experienced problems and difficulties in achieving a fully developed IP protection system. The Delegation noted that the current universal model of cooperation might not be best suited to resolving the issue and achieving the highest standards of IP protection, especially regarding IT development and technology/innovation transfer. It expressed gratitude to WIPO for the advanced IT solutions introduced by the Serbian IPO over the last decade, thanks to the successful implementation and improvement of WIPO IPAS. In the last year, Serbian IT experts had designed and developed an electronic filing system that was highly compatible with IPAS and was currently in the finalization phase. Serbia was willing to continue and strengthen its cooperation with WIPO with a view to testing and developing other software tools available in the other national IP offices. The IP marketing and valuation workshop would be held in Belgrade in mid-October, while the study on *The Economic Contribution of the Copyright-based Industries in Serbia*, which is based on last year's WIPO *Guide on Surveying the Economic Contribution of the Copyright-Based Industries*, was promoted at the Faculty of Law, University of Belgrade, on September 23, 2015. In 2014, the post-implementation evaluation of Serbia's national IP strategy was conducted to assess implementation outcomes and the study on *Integrating Intellectual Property into Innovation Policy Formulation in Serbia* was published.

141. The Delegation of Seychelles wished to extend its gratitude to the Director General of WIPO and the WTO for the continued support extended to the country. Following the accession of Seychelles to the WTO and the TRIPS Agreement, the country had prepared a new Industrial Property Act containing new concepts. As a consequence, new regulations that were not present in previous laws had been incorporated. The new concepts included industrial designs, geographical indications, layout design and integrated circuits. Those new developments had proved to be challenging for the Seychelles, both from an expertise and from a volume standpoint, which was why a request had been made to WIPO for technical assistance to enable them to be addressed. The Delegation hoped that the presence of the Seychelles at the meeting would further strengthen its efforts to make its IP Office more visible and efficient and the IP Sector of the Seychelles more interactive. Early in 2015, the Seychelles had benefited from a WIPO Regional Training Workshop based on IPAS Business Governance which was held in Walvis Bay, Namibia from April 13 to 17, 2015, and a request had been made to WIPO for assistance in the further training of its staff.

142. The Delegation of Slovakia stated that, as a member of the European Union and the CEBS Group, Slovakia associated itself with the statements made by the representatives of those groups. A great deal of work had been done throughout the preceding year, the normative "breakthrough" being the successful diplomatic conference of May 2015 at which the Geneva Act of the Lisbon Agreement was adopted. The Delegation had participated actively in negotiations during the diplomatic conference and had appreciated the open, fair and inclusive character of the discussions. Slovakia had given serious consideration to the views of all WIPO Member States, regardless of their stance or regional group because it was important to exercise the good will to hear all parties and evaluate all the relevant arguments. Slovakia was aware of its share of responsibility as a Member State of the Lisbon System and was ready to

negotiate with relevant partners in this regard. It was one of the founding states of the VPI which was likely to be appointed as an ISA/IPEA according to the PCT.

143. The Delegation of Swaziland congratulated the Chair on his election and assured him of its full support. Swaziland also wished to associate itself with the statement delivered by Nigeria, on behalf of the African Group. Swaziland supported the results so far achieved by the CDIP. However, the Delegation also noted the slow progress on certain normative issues and appealed to Member States for flexibility in providing a way forward. On the work of the IGC, it was imperative for a decision to be made to convene a diplomatic conference to adopt a legally binding instrument for effective protection. On the DLT, the Delegation urged Member States to exercise flexibility in order to reach a consensus with the inclusion of capacity building and technical assistance, thus enabling them all to implement the treaty when it was finally adopted. On the issue of external offices, Swaziland felt the establishment of two external offices was long overdue and supported the recommendation for those offices in Africa to facilitate the smooth administration of IP. As to progress in Swaziland regarding the legal framework and administration of IP, there were bills currently before parliament, expected to be enacted early in 2016. Those were: (a) Copyright and Neighboring Rights Bills; (b) Swaziland Intellectual Property Tribunal Bill; (c) Trademarks Amendment Bill; (d) Patents Bills. The Delegation expressed its gratitude to WIPO for its financial and technical assistance. The development of Swaziland's national IP policy and strategy would be finalized in 2016. Swaziland had decided to join the IPAS as it believed its implementation would transform the processing of IP applications to offer a better service to clients. The Delegation extended his country's appreciation to WIPO for the assistance it continued to receive and looked forward to further assistance in drafting the necessary regulations once the bills currently before parliament were enacted. Swaziland was fully committed to supporting all WIPO's initiatives in using IP as a vehicle for economic growth and hoped that WIPO would continue to support the country as it strove to achieve its vision of acquiring first-world status in every sector of the economy by 2022.

144. The Delegation of the Syrian Arab Republic thanked the Chair, the Director General and all WIPO staff for their continuous support and contribution to IP development in the Syrian Arab Republic. The Delegation said it was confident that efforts of the Director General and the cooperative spirit within WIPO will lead to further results, which would positively impact the IP landscape in all fields. The Organization had contributed to the development of the IP legislative framework and infrastructure in Syria, in particular Law No. 8 of 2007 on Trademarks, Industrial Designs, Geographical Indications and Unfair Competition; and Law No. 18 of 2012 on Patents, including, utility models. Geared at promoting creativity and innovation for a comprehensive development of the country, and in collaboration with WIPO, a national IP strategy was being drafted and developed by a Committee representing all actors from public, business and SMEs sectors. In addition, a National IP Survey was being prepared and will be presented to WIPO upon completion, for the establishment of a cooperation program with the Organization, including support to various sectors. The Syrian Arab Republic provided more support to creators and inventors. Such efforts were demonstrated in the organization of the Al Bassel 2013 Fair for Invention and Innovation (16th Edition); while the 17<sup>th</sup> Edition would be held from November 1 to 5, 2015. WIPO had decided to continue to support that important event by offering Best Inventor Medal and Best Participant Souvenir Plaque in student category. Following success of the 2013 National Competition on Creativity and Invention, which encouraged young creators and inventors to present their works, a Second National Competition was launched. Indeed, the Government acknowledged that creativity and innovation among young generations required continuous support and guidance. To that end, a High-level Committee for the Support of Creativity and Innovation was created with a mandate to mainstream the support of creativity and innovation throughout sectors by determining the role of each sector in an integrated manner. The Syrian Arab Republic continued to implement and develop the IP Culture Dissemination Program among universities and schools, aimed at increasing awareness of the importance of IP and encouraging academia to support creativity

and innovation. The Program was also targeted at trade and business sectors, including SMEs. In that regard, collections of WIPO publications and other content were made available on CDs and distributed in various sectors, with summary translations in Arabic. The material focused on the use of WIPO free patent information services as well as training on the use of patent global databases. A WIPO Outreach Program was also implemented. Moreover, the website of the Directorate of Commercial and Industrial Property Protection (DCIP) was improved, and a monthly Online Magazine was issued featuring IP news and information as well trademark, industrial design and patent registration data in Syria. Thanks to the program on IP Culture Dissemination, this concept was becoming effectively established in schools, institutes and universities, particularly following conclusion of an MoU with the Ministry of Education in view of developing creative talents and skills based on outreach programs contained in related WIPO publications and documents. The Syrian Arab Republic joined the WIPO program for Depository Libraries in the current year, and received a wide collection of WIPO publications. Moreover, the National IP Library was inaugurated on the occasion of the World Intellectual Property Day. The Delegation hoped that the country would benefit from the WIPO DA projects, notably for establishing TISCs in Syria. In conclusion, the Delegation praised the special efforts by the Secretariat and thanked the WIPO Arab Bureau for its constructive support.

145. The Delegation of Trinidad and Tobago supported the statement of made by the Delegation of Brazil, on behalf of GRULAC. Notwithstanding the recent change in administration, Trinidad and Tobago remained committed to enhancing the IP system and participating in the multilateral system. Work had progressed on exploring the legislative amendments to give effect to the gains made following the positive conclusions of the Beijing and Marrakesh Treaties. Trinidad and Tobago was grateful to the Director General and WIPO for the guidance provided in that area and in giving consideration to the establishment of a Voluntary Copyright Registration system. WIPO's continued support in the development of an IP Academy through the Intellectual Property Office of Trinidad and Tobago was also appreciated. Courses had grown from an IP Clinic for the Sir Hugh Wooding Law School to include an IP Clinic for the Caribbean Industrial Research Institute, where guidance from the IPO to its business incubator clients was provided and training on patent mining was about to start. Other institutions such as exporTT and the University of Trinidad and Tobago were also seeking a MoU to provide IP guidance and conduct IP Clinics. The IPO had also begun teaching an IP module in an MSc. program in Computer Science at the University of the West Indies. The project on Building Respect for Intellectual Property, put forward as a Public Sector Investment Program project, had been incorporated into the work plan of the IPO. Early in 2015, Trinidad and Tobago had repealed and replaced its Trade Marks Act. The new Act had received assent and contained provisions for new types of trademarks, paving the way for implementation of the Madrid Protocol. Once the Regulations had been completed and the legislation promulgated by the President, the country would be able to accede to the Madrid Protocol, and Trinidad and Tobago thanked the Brands and Designs Sector for its support in reaching that stage. The Delegation acknowledged the hard work of the Caribbean Section in the Latin American and Caribbean Countries and was confident that that Section would be further enhanced, enabling it to achieve its objectives in 2015-2016. Trinidad and Tobago was anxious to preserve the tremendous gains made in the IGC over the years and supported proposals to strengthen the Committee and its work. The Delegation was encouraged by the work of the Director General in enabling the Organization to fulfill the mandate of the Member States and looked forward to the continued advancement of IP under his leadership.

146. The Delegation of the United Republic of Tanzania said that it associated itself with the statements made by the Delegation of Nigeria, on behalf of the African Group, and the Delegation of Benin, on behalf of the LDCs. The United Republic of Tanzania attached great importance to the development and economic growth initiatives of WIPO and its Director General, Mr. Francis Gurry, for the benefit of Africa and the LDCs, including in the area of technological capacity-building. Even the poorest countries had intellectual assets which, if properly managed, protected and utilized, could generate wealth and the United Republic of

Tanzania was counting on the Director General's continued leadership and support for the LDCs in expanding the applications of IP for development. Because the Organization's regular budget and program structure remained the primary vehicle for the delivery of cooperation programs, the Delegation urged member countries to engage constructively in discussions and approve the budget for the upcoming biennium as a prerequisite for the implementation of activities and projects in areas such as technology transfer and access to scientific and technical information for Africa and LDCs. It expressed its appreciation for the technical assistance projects that WIPO had implemented in the United Republic of Tanzania under Cluster A of the DA, including installation and support for maintenance of the IPAS, assistance with the development of a National Intellectual Property Strategy which has provided useful inputs in the drafting of a National Intellectual Property Policy, and support for the ongoing development of a national branding strategy so that the products of the country's SMEs, including spices and coffee, could compete on the international market. The United Republic of Tanzania was also in the process of digitizing its documents and records with a view to adoption of the EDMS, for which WIPO's assistance and support would be greatly appreciated. On August 24, 2015, in cooperation with the national Commission for Science and Technology (COSTECH), WIPO had launched an appropriate technology transfer project to promote the country's economic development, particularly in the industrial sector. It was encouraging to note that similar projects had been successful in pilot countries. Lastly, the Delegation believed that the request for two WIPO External Offices in Africa was compelling and justified and requested the membership to support its approval during the current Assembly.

147. The Delegation of Zambia fully aligned itself with the statements made by the Delegations of Nigeria, on behalf of the African Group, and Benin, on behalf of the LDCs. Zambia remained hopeful that IGC negotiations would eventually bear fruit given the successful work done thus far; it therefore called for the Committee's mandate to be renewed. Zambia attached importance to the protection of TK, GRs and TCEs and had started implementing a national *sui generis* system for that purpose and also to ensure the fair and equitable sharing of benefits arising from the use of GRs. Zambia also attached great importance to WIPO's ideals and acknowledged efforts to mainstream the DA with a view to accelerating the social, cultural and economic development of developing countries. The Delegation hoped to continue cooperating with WIPO to fully unlock the potential of IP as a driver of innovation and technological progress. Consequently, Zambia urged WIPO to support further awareness-raising on the value of IP and promotion of the effective use of the IP system by universities, businesses and SMEs in developing countries, including Zambia. The Delegation also paid tribute to WIPO for its continued IP development support in Zambia, particularly in the context of automating administrative and legal industrial property procedures and capacity building in areas such as the IPAS. With a view to contributing to regional IP development cooperation, Zambia planned to host the meetings of the ARIPO Ministerial and Administrative Councils in Lusaka from November 16 to 20, 2015. The Delegation was confident that progress would be made towards achieving the common goal of international protection for TK, GRs and TCEs.

148. The Delegation of Saudi Arabia congratulated the Chair on his election and commended the WIPO Director General for the repeated successful results of the Organization's work. Emphasizing the importance of IP in an era of fast-paced technological progress and intensive social networking, the Delegation elaborated on the deeply rooted significance of IP norms in the history of Saudi Arabia, as illustrated in the Muslim and Arab customs. The development of IP-related legislation was brought about by the rapid technological progress in various economic, cultural and social fields as well as the emergence of novel dealings and interactions which required modern norms that ensured protection for creators and innovators. Therefore, IP became essential in trade relations among and within countries, generating economic value for national economies. In their various forms, IPR served as an incentive for creativity and innovation, and contributed to the creation of valuable assets attracting investors in an environment that secured protection. The Delegation further elaborated that effective and transparent legislation and policies ensured IPR protection and guaranteed a positive overall

social and economic impact. To that end, Saudi Arabia, together with WIPO and other relevant parties, undertook the establishment of an enabling environment for realizing optimal benefits. Aware of the great importance of IPR protection, Saudi Arabia developed relevant laws and regulations and established the necessary effective protection mechanisms. In addition, the country joined various international IP-related treaties and modernized its national legislative framework in line with international obligations and global developments. Such environment would ensure protection for both right holders and consumers, and also prevent use of pirated and counterfeit products, such as food products and medicines. Within such efforts and against the same background, the Delegation was pleased to participate in the current Assemblies and share such great endeavors for the benefit of all. The Delegation highlighted that Saudi Arabia topped the 2015 GII ranking in the Arab region and was in 43<sup>rd</sup> position internationally. In addition, the country topped the Middle-East ranking with a 44 per cent of overall units seized over Middle-East borders, a total value of 367 million in infringing products. The Delegation also mentioned various agreements concluded with trademark holders for border inspections and investigation in trademark imitation on imported goods. Further, Saudi Patent Office automation included the introduction of electronic services for patent and design registration, management and granting procedures. Processing and examination of patent applications were also accelerated under an integrated work-plan to reach a maximum of one-year period for completion of patent applications from the filing date, and a maximum of one-day for industrial designs where all formality requirements are met. On IP Day, various events were organized by relevant authorities throughout the country, including seminars and workshops for officials responsible for innovation, transfer of technology and IP management in research centers, industry as well as relevant government representatives. Events also covered workshops on trademark protection, organized in cooperation with WIPO. Due to the importance of patent information, patent documents were converted to XML format in order to foster patent contents in Arabic and prepare for their integration in the recent ARABPAT project. Further work would also include integration in PATENTSCOPE, within a cooperation project with WIPO. The Delegation also wished to highlight the recent designation of the Saudi Patent Office as a PCT receiving office and deployment of the dedicated electronic system. Further, the Delegation attached great importance to the use of interactive smart devices, in the various IP fields, for swift communication with users and parties concerned, quick termination of grant and fast infringement reporting. Such interactive functionalities contributed effectively to curb infringement of IPRs. In addition, significant human and financial resources were invested in the development of electronic transactions, reaching 100 per cent deployment for trademark and trade name processing and registration. Within a national committee, composed of all parties concerned with IP, Saudi Arabia considered a wider participation in WIPO-administered international IP systems, and initiated examination of a number international treaties for a possible accession. In that regard, the Delegation looked forward to further cooperation with WIPO in order to clarify relevant accession advantages. In the field of IPR enforcement, competent authorities worked on the prosecution of software piracy and counterfeit products, including by making available computer and smart device notification systems for affected consumers and users. The Delegation was pleased to recall that, thanks to its effective IPR protection, Saudi Arabia was not in the black list of countries. The country would continue its efforts to curb IPR infringement, notably by joining all government authorities concerned with IP matters under one single Department that would be financially and administratively independent. In conclusion, the Delegation praised the WIPO Secretariat and all WIPO Members for their efforts in promoting IP.

149. The Representative of the African Union (AU) underlined the fact that in recent years African leaders had recognized the critical role that science, technology and innovation (STI) can play in the transformation of African economies. This had been clearly spelt out in the AU's Agenda 2063, which underscored the importance of STI for Africa's socio-economic development and growth. The Science, Technology and Innovation Strategy for Africa 2024 (STISA-2024) provided a framework for realizing these goals for the benefit of the people. In fact the Common African Position (CAP) on the Post-2015 DA has STI as one of its pillars.

Africa was committed to creating an enabling environment for innovation by strengthening its financial and regulatory framework; strengthening and creating African property rights institutions, where needed; protecting IP and industrial rights; increasing funding for science and technology research and innovation; and fostering collaboration among African countries on science and technology for development. This African position was reflected in the UN SDG adopted in New York in September 2015, and the Heads of State and Government Summit of the African Union had also decided to create a Pan-African Intellectual Property Organization (PAIPO), the statutes of which had been submitted to the Conference of African Justice Ministers to be held in November 2015. Under the leadership of Mr. Francis Gurry, WIPO had achieved a lot in Africa through its programs for promoting the effective use of IP for socio-economic, scientific, technological and cultural development. The Global Innovation Index (GII) 2015 Report showed the positive trends in Africa, with a number of low-income economies cited as innovation achievers performing increasingly well at levels previously attained exclusively by the lower-middle-income group. In sub-Saharan Africa, Rwanda (94<sup>th</sup>), Mozambique (95<sup>th</sup>) and Malawi (98<sup>th</sup>) were performing at the level of middle-income economies, and Kenya, Mali, Burkina Faso and Uganda were generally outperforming other economies at their level of development. Topping the rankings in Africa was Mauritius, followed by South Africa. These were all positive signs that existing policy frameworks fostered the role of innovation in development. Consequently, the Delegation was pleased to announce the first AU-WIPO cooperation initiative, namely the 2015 Africa Ministerial Conference on IP for an Emerging Africa, which would bring together ministers, the regional economic commissions, international IP experts, intergovernmental organizations, regional IP institutions, academic and development institutions, entrepreneurs and the private sector. The Delegation also conveyed its deep appreciation to Senegal for accepting to host the event and to Japan for its financial support and commitment to IP development in Africa. One of Africa's greatest assets was its abundant human resources estimated at more than one billion, the majority of whom were unemployed, underemployed, or lacking skills, relevant education, or access to capital. Accordingly, a one day workshop would be held prior to the Ministerial Conference, targeting young African creators, innovators, inventors and entrepreneurs with a view to providing them with a platform to exchange views with international/regional experts on the IP system. This workshop would focus on how to use the IP system to protect, develop and commercialize innovations, how to encourage SMEs to use it to enhance their business competitiveness and how to encourage and stimulate further creativity and innovation. The workshop report would be presented to the Ministerial Conference. The Delegation believed that the Ministerial Conference should not merely conclude with "business as usual" but rather with clear directions on how the continent would use the IP system for wealth creation and transformation of national economies by capitalizing on the opportunities afforded by the knowledge economy. This meant working within an all-inclusive framework to guarantee a better future for the people based on innovation and a creative spirit.

150. The Representative of the African Regional Intellectual Property Organization (ARIPO) fully associated ARIPO with the statements made by the Delegations of Nigeria, on behalf of the African Group, and by the Delegation of Benin, on behalf of LDCs. The Representative expressed satisfaction with some of the remarkable achievements in the ARIPO System, such as the Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore, which became operational on May 11, 2015. That Protocol had been ratified by seven Member States and it was now possible to apply for the protection of transborder TK IPRs at the ARIPO Office. ARIPO fully supported the position of the African Group and LDCs to transform the IGC into a standing committee. The ARIPO Protocol for the Protection of New Varieties of Plants (Arusha Protocol) was adopted by the diplomatic conference held in Arusha, Tanzania on July 6, 2015. The Protocol sought to provide Member States with a regional plant variety protection system that recognized the need to provide farmers with improved plant varieties in order to ensure sustainable agricultural production. Five Member States had signed the Protocol, which remained open for more signatures by Member States of the Organization and other States on the continent until December 31, 2015. Management of applications lodged



through ARIPO was being enhanced through the use of new Polite+ software developed with the assistance of the Korean International Cooperation Agency (KOICA) in cooperation with WIPO. The system was launched on April 25, 2015, and has since facilitated online business processing of applications, including online filing, file inspection and online payments. Thanks to the new system, the granting and registration of IP rights using the “ARIPO Route” was attainable through interactive procedures between the ARIPO Office and the national IPOs of ARIPO member states. Such interaction would be further enhanced once the member states’ Module component, which would facilitate online communication between ARIPO and its member states, had been initiated through the project developed by KOICA with the cooperation of the WIPO Global Infrastructure Sector. In cooperation with ARIPO, WIPO had continued to organize workshops and seminars in the African region to build awareness on the importance and use of IP for technological and economic development. ARIPO was also very active in capacity-building and human resources development in the region. In that respect, the Representative was pleased to report the involvement of WIPO in this initiative through its various divisions, particularly the WIPO Regional Bureau for Africa and the WIPO Academy, in cooperation with the JPO which had continued to support the ARIPO-WIPO Africa University Master’s Degree Program in IP (MIP) which was in its eighth year and had produced over 200 IP experts. These experts were currently operating in IPOs, teaching institutions and IP firms across Africa and were making a tremendous contribution to IP development on the continent. The *curriculum* of the program was being revised and improved, more dynamic and competent lectures were being incorporated and topical debates had been conducted through the annual conference organized at the end of the program. As to its mandate on copyright and related rights, ARIPO, with the support of WIPO and the cooperation of the International Federation of Reproduction Rights Organizations (IFRRO), was developing training materials on the collective management of reprography, to be used in training activities at the ARIPO Regional Training Centre. Furthermore, with the cooperation of WIPO and IFRRO, a training workshop on copyright and related rights had been held at the African Regional Training Centre. The WIPO Regional Bureau for Africa was also supporting many African countries to complete questionnaires on the status of copyright and related rights in their respective countries. Such data would help ARIPO and its member states to develop appropriate policies on copyright and related rights for the whole of Africa. The ARIPO Secretariat was also committed to improve the working conditions at its headquarters and providing high-quality services. Accordingly, the Representative was pleased to announce that the ARIPO headquarters construction and extension project had started in April 2015 and hoped that it would be unveiled during the 40<sup>th</sup> anniversary celebrations of ARIPO next year. The 39<sup>th</sup> Session of the ARIPO Administrative Council and the 15<sup>th</sup> Session of the Council of Ministers would be held in Lusaka, Zambia, from November 16 to 20, 2015. It was hoped that WIPO’s Director General would present the keynote address to the Council of Ministers session. ARIPO also invited other WIPO divisional heads and cooperating partners to come and address both the Administrative Council and ARIPO.

151. The Representative of the League of Arab States (LAS) commended the efforts made by WIPO to provide countries around the world, particularly in the Arab region, with IP protection services for over 40 years. It said that LAS was proud of the partnership established with WIPO under an MoU signed in 2000. Arab countries benefited from the joint work achieved through the partnership in order to implement activities and projects in all fields of IP. LAS attached a great importance to fully participating in WIPO activities and initiatives that serve Arab countries. One of the most important recent initiatives being WIPO Green. LAS believed that respect for IPRs required multiple processes, including awareness raising and public outreach, thus engaging in all activities aimed at promoting respect for IPRs, including a workshop held recently in the LAS Headquarters in May, with participation from the WIPO Arab Bureau and the Building Respect for IP Division. The Representative extended its gratitude for both. It said that IP had become an important and standing item on the agenda of summits and seminars held by the LAS in cooperation with regional groups. With regard to the Latin American - Arab States Summit, the Representative said that LAS was currently working on the implementation of the

decisions taken in the Peru Summit, held in Lima the previous year. Furthermore, LAS was preparing for the fourth Latin American – Arab States Summit to be held in Riyadh, Saudi Arabia. The Representative said that the Arab-Chinese, Arab-Japanese and Arab Russian fora dealt with numerous items concerning IP. Moreover, it pointed out that cooperation with WIPO was taking place in the context of cooperation between LAS and the UN. LAS took note of the important and useful WIPO Information Paper on External Offices. In conclusion, the LAS Representative looked forward to more offices in the Arab region and Africa.

152. The Representative of the South Centre applauded the step taken by the UN in adopting the new SDGs, achieved by consensus. The SDGs, which would become applicable in January 2016, would embrace a common vision to transform the world for the better by 2030 through increased global collaboration. The South Centre looked forward to the future preparation of a new strategic framework for WIPO with strategic goals aligned to those of the broader UN system; to strengthened cooperation between WIPO and other UN agencies and the continued work of the Member States; and to the WIPO Secretariat's realizing this shared vision within the framework of WIPO's mandate and under its Convention. The South Centre encouraged Member States to guide the work of the Organization toward shaping a more inclusive and balanced international IP system, to be part of a broader knowledge governance system that worked for all: a system that promoted knowledge creation and diffusion, one that accelerated the transfer of technology and know-how, especially of essential technologies for global health, food sovereignty and to respond to climate change. The system needed to promote sharing of innovations developed with public financing and be conducive to the exercise and realization of human rights. It should provide sufficient policy space for careful assessment and management of the effects of intellectual protection and enforcement, assessing benefits against costs. The system must also promote the use of safeguards to ensure balance between protection and access and to prevent misuse and abuse of IPRs. Sustained efforts toward realizing a DA for WIPO, including the implementation of the agreed 45 recommendations, would be a key enabler for that task. The South Centre hoped that the discussions at the 2015 WIPO Assemblies would be undertaken in a spirit of collaboration, compromise and consensus, similar to those which allowed UN member states to arrive at the post-2015 DA. In particular, to build the necessary political will to advance the text-based work in good faith with a view to finding effective solutions to tackle the continued misappropriation and misuse of GRs and TK through the IP system, and at long last give due recognition to the role of TK in fostering creativity and innovation and promoting good health and poverty reduction. The South Centre also called on the 2015 WIPO General Assembly to provide guidance on a number of other pending issues, including the following: finalizing discussions on the report of the independent review of WIPO technical assistance and implementing its recommendations; guiding the SCP towards a balanced and concrete work plan that included the development of new tools to inform technical assistance on the use of patent-related flexibilities in the public interest, particularly in the area of public health; advancing norm-setting work to remove copyright and digital restrictions on the cross-border transfer of works based on limitations and exceptions, to promote learning, research, education for all, including persons with disabilities; and reaching agreement on the application of the coordination mechanism on the WIPO DA recommendations to all WIPO bodies. The South Centre also encouraged WIPO Member States to ratify, for its rapid coming into force, the groundbreaking MVT/Marrakesh VIP Treaty. Finally, the South Centre reaffirmed its commitment to fully supporting developing countries and LDCs in shaping their national IP policies and systems. In this context, it highlighted its full support for the duly motivated request of LDCs to the WTO TRIPS Council to delay pharmaceutical patent protection in the context of the WTO TRIPS Agreement, and called on WIPO as the leading provider of technical assistance to both WIPO and WTO member states, and on WIPO Member States, to strengthen their support to LDCs to use that flexibility for access to medicines and to build local pharmaceutical capacity.

153. The Representative of the African Intellectual Property Organization (OAPI) congratulated the Chair on his election and thanked the Director General and staff of WIPO for the excellent and warm reception as well as the perfect meeting arrangements. The Assemblies provided WIPO leadership with the opportunity to present the most positive actions implemented since the previous meetings. The Representative lauded the objective presentation of WIPO achievements and had listened to the report on WIPO's work and performance with much interest and admiration. OAPI and WIPO shared the same convictions and ideals on the world's future, namely: ensuring development through IP; promoting the effective contribution of IP to the progress of humankind; protect IPRs as efficiently as possible; and contributing to the technological development of economically weak countries. These ideals were pursued through broad-based and close cooperation between these two organizations. Since the last sessions of the Assemblies, OAPI and WIPO had continued implementing actions through mutual cooperation. Since it is in the interest of both organizations to step up cooperation and ensure a convergence of views on issues of common interest, their respective efforts and initiatives had to target these objectives. OAPI was firmly convinced that, with the clear guidelines that would emerge from the Assemblies, WIPO would spare no effort to attain its objectives and thus maintain its foremost position among global organizations. In conclusion, the Representative extended the gratitude of OAPI to all its partners and expressed the wish that the Assemblies would be crowned with success.

154. The Representative of Innovation Insights said that its Organization had become an accredited observer in 2014 and it was grateful for the opportunity to engage with WIPO. The mission of Innovation Insights was to bring practical insights about innovation, technology diffusion and IP management to the Geneva IP community, and, to that end, it drew on the experience of its members and other technology leaders from the private sector. Entrepreneurs and firms were in the business of developing new, cost-effective solutions to society's greatest challenges, delivering innovative products and services to customers in mature and emerging markets daily. Increasingly, they collaborated to stay at the forefront. So-called "open innovation", underpinned by effective IP protection, resulted in significant knowledge sharing and creation, while supporting the adaptation of products for different needs. Some speakers had noted the value of WIPO's engagement with IP users and emphasized that the participation by innovators of every type, from all sectors and from countries at all levels of development, should be mainstreamed into WIPO's activities. Greater participation by those with practical innovation and IP experience could improve WIPO's services, the evidence base for WIPO's policy discussions, and WIPO's IP management training programs for SMEs. It could also support WIPO Members in prioritizing work on topics with relevance outside Geneva.

155. The Representative of the Third World Network (TWN) declared that the WIPO Assembly was taking place right after the UN Summit on the post-2015 DA that charted the path towards the achievement of 17 SDGs over the next 15 years. Access to technology had been recognized as an important channel for achieving the SDGs. Such recognition was clearly reflected in the creation of the Technology Facilitation Mechanism under the Addis Ababa Action Plan that had been integrated into the post-2015 DA outcome document. Against this background, WIPO, as a specialized agency of the UN, should work proactively to help developing countries to implement the post-2015 DA. The Representative therefore urged WIPO and its Member States to boldly address any barriers created by IPRs that hamper the promotion and facilitation of technology transfer. Since the adoption of the TRIPS Agreement 20 years ago, evidence had been accumulating on the negative externalities of IPRs on innovation and access to technologies. Similarly, the report of the Special Rapporteur on cultural rights, transmitted to the UN General Assembly this year by UN Secretary-General stated that "Patent laws should place no limitations upon the rights to health, food, science and culture, unless the State can demonstrate that the limitation pursues a legitimate aim, is compatible with the nature of this right and is strictly necessary for the promotion of general welfare in a democratic society". Such IPR challenges to development strategies called for reform of WIPO's IP approach and governance structure. Although WIPO earned most of its

revenue from services provided to IP owners, its norm-setting, capacity-building and technical assistance activities should neither be influenced nor driven by the proceeds from such IP services. Rather, they should be driven by developmental concerns. Firewalls should be erected to prevent conflicts of interest and WIPO should formulate appropriate policies to prevent individual and institutional conflicts of interest. WIPO should also publish declarations of interest from external consultants and experts engaged for various technical assistance activities and studies. There was an urgent need to re-orient the functions of WIPO to make them consistent with the letter and spirit of the agreement with the UN and to tailor the WIPO DA to the development aspirations of humanity.

156. The Representative of the International Publishers Association (IPA) introduced himself as the new Secretary General of the IPA. The IPA worked to protect and promote both copyright and the freedom to publish. The Representative assured the Assembly that the IPA would continue to work closely and constructively with WIPO and the Member States to find suitable and practical solutions to the issues on the WIPO agenda.

## ITEM 6 OF THE CONSOLIDATED AGENDA

### ADMISSION OF OBSERVERS

157. Discussions were based on document A/55/2.

158. The Legal Counsel drew the attention of Member States to document A/55/2 on the admission of observers. He recalled that the Assemblies of Member States were being invited to consider applications by one Intergovernmental Organization, five international and three national non-governmental organizations, as listed in paragraph 4, of the said document.

159. The Chair took note that consensus had been reached on all requests for observer status, and proposed the following decision, which was adopted:

“The Assemblies of Member States of WIPO, each in so far as it is concerned, decided to grant observer status to one intergovernmental organization, five international non-governmental organizations and three national non-governmental organizations, as referred to in paragraph 4, of document A/55/2, and to include the IGO appearing in paragraph 4(a)(i) in category C (Regional Intergovernmental Organizations).”

#### Admission of an Intergovernmental Organization as Observer

160. The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the European Public Law Organization (EPLO).

#### Admission of International Non-Governmental Organizations as Observers

161. The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the following five international non-governmental organizations: (i) Archives and Records Association (ARA); (ii) Confederacy of Patent Information User Groups (CEPIUG); (iii) European Association for Bioindustries (EUROPABIO); (iv) International Intellectual Property Commercialization Council Limited (IIPCC); and (v) MALOCA *Internationale*.

### Admission of National Non-Governmental Organizations as Observers

162. The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the following three national non-governmental organizations: (i) Association of Spanish Attorneys before International Industrial and Intellectual Property Organization (AGESORPI); (ii) The Finnish Copyright Society; and (iii) The Nest Foundation.

### ITEM 7 OF THE CONSOLIDATED AGENDA

#### COMPOSITION OF THE PROGRAM AND BUDGET COMMITTEE

163. See the report of the session of the WIPO General Assembly (document WO/GA/47/19).

### ITEM 8 OF THE CONSOLIDATED AGENDA

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

164. Discussions were based on document A/55/3.

165. Introducing the agenda item, the Legal Counsel informed the Member States that there had been successful consultations among the Group Coordinators. He said that, as it was explained in the working document, the new composition of the Coordination Committee was supposed to be 85 members. However, in the absence of agreed solution as to how best to fill the two additional seats of the Committee, the Group Coordinators decided, on an exceptional basis, that the Coordination Committee would remain at 83. An informal document that had been provided to the Member States listed the 83 members proposed for the Coordination Committee. He stated that the proposal was to have 41 countries on the Paris Union Executive Committee, 39 on the Berne Union Executive Committee, two *ad hoc* members and one *ex officio* member, and that would bring the composition to 83. He called on the Conference, the Paris Union Assembly and the Berne Union Assembly to approve the proposed composition of the Paris and Berne Union Executive Committees and the Coordination Committee from the close of the present sessions of the Assemblies until the close of the 2017 sessions.

(i) the Paris Union Assembly unanimously elected the following States as *ordinary* members of the *Paris Union Executive Committee*: Angola, Argentina, Azerbaijan, Bahamas, Bangladesh, Burkina Faso, Cameroon, China, Colombia, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Finland, Ghana, Guatemala, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Kazakhstan, Latvia, Mongolia, Morocco, Nepal, New Zealand, Pakistan, Peru, Poland, Republic of Korea, Romania, Singapore, Sri Lanka, Sweden, Uganda, United States of America, Viet Nam (41);

(ii) the Berne Union Assembly unanimously elected the following States as *ordinary* members of the *Berne Union Executive Committee*: Algeria, Australia, Austria, Barbados, Belgium, Brazil, Brunei Darussalam, Canada, Congo, Costa Rica, Côte d'Ivoire, Dominican Republic, El Salvador, Estonia, France, Gabon, Germany, India, Kyrgyzstan, Luxembourg, Malaysia, Mexico, Namibia, Netherlands, Nigeria, Norway, Panama, Paraguay, Portugal, Russian Federation, Rwanda, Senegal, South Africa, Spain, Tunisia, Turkey, United Kingdom, United Republic of Tanzania, Zimbabwe (39);

(iii) the WIPO Conference unanimously designated the following States as *ad hoc* members of the *WIPO Coordination Committee*: Ethiopia, Myanmar (2);

(iv) the WIPO Conference and the Assemblies of the Paris and Berne Unions noted that Switzerland would continue to be an *ex officio* ordinary member of the *Paris Union Executive Committee* and of the *Berne Union Executive Committee*.

166. As a consequence, the WIPO Coordination Committee for the period October 2015 to October 2017 was composed of the following States: Algeria, Angola, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belgium, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Canada, China, Colombia, Congo, Costa Rica, Cote d'Ivoire, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia (*ad hoc*), Finland, France, Gabon, Germany, Ghana, Guatemala, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Luxembourg, Malaysia, Mexico, Mongolia, Morocco, Myanmar (*ad hoc*), Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, Senegal, Singapore, South Africa, Spain, Sri Lanka, Sweden, Switzerland (*ex officio*), Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Viet Nam, Zimbabwe (83).

#### ITEM 9 OF THE CONSOLIDATED AGENDA

##### APPROVAL OF AGREEMENTS

167. See the report of the session of the WIPO Coordination Committee (document WO/CC/71/7).

#### ITEM 10 OF THE CONSOLIDATED AGENDA

##### REPORTS ON AUDIT AND OVERSIGHT

168. Discussions were based on documents WO/GA/47/2, A/55/9, WO/GA/47/4 and A/55/4.

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

169. The Chair stated that the Chair of the World Intellectual Property Organization (WIPO) Independent Advisory Oversight Committee (IAOC) would provide a brief summary of the IAOC's annual report, which covered the period from September 1, 2014, to August 31, 2015. The Report had been presented to the 24<sup>th</sup> (September) session of the PBC, and the PBC recommended that the General Assembly take note of the report. The Chair added that in line with its practice, the IAOC reported on the quarterly sessions it held during this period. Specific matters reviewed and addressed in summary in the present report relate, *inter alia*, to discussions with the External Auditor; review of the Audited Financial Statements for 2014 and the Report of the External Auditor; Internal Oversight – follow-up on internal oversight recommendations and 2014 work plan results and the 2015 work plan; status of recruitment for the Director, IOD, and the Chief Ethics Officer; status of the New Construction Projects; status of various matters in the area of Administration and Management; and the work related to preparing and submitting the Proposed Revisions to the Terms of Reference of the IAOC.

170. The Chair invited the Chair of the WIPO IAOC to introduce document WO/GA/47/2.

171. The Chair of the IAOC, Ms. Mary Ncube, introduced herself and made the following statement:

“The Chairman of the General Assembly, Ambassador Gabriel Duque, the Director General of WIPO, Mr. Francis Gurry, Ministers and distinguished representatives of Member States, Ladies and Gentlemen.

“Ambassador Duque, I would like to start by congratulating you, on your election to Chair the General Assembly and wish you wisdom in executing this responsibility.

“My name is Mary Ncube. I am the Chairperson of the WIPO IAOC. I am happy to present the Committee’s annual report highlight on this important occasion of the 55<sup>th</sup> General Assembly of WIPO.

“Introduction: The detailed report of the Committee is contained as document WO/GA/47/2 in the Assembly documents for this session of the GA. The report covers the period from September 1, 2014 to August 31, 2015.

“I will highlight the membership composition of the IAOC and its mandate. Thereafter, I will outline briefly the work that the Committee has undertaken during the reporting period.

“The Committee is made up of seven members drawn from WIPO’s geographical groupings. The members serve in their personal capacity, independent of Member States. The mandate of the IAOC states that the Committee “is an independent, expert advisory and external oversight body established to provide assurance to Member States on the appropriateness and effectiveness of internal controls at WIPO”. It aims to assist Member States in their role of oversight and for better exercise of their governance responsibilities, with respect to the various operations of WIPO.

“In discharging its function during the period under review, the Committee met five times, and interacted with the Director General, the Director, IOD, senior officers of WIPO and the External Auditor.

“Annual Financial Statements for the year ended December 31, 2014: The Committee met with Management at its 36th session in May 2015 and reviewed the draft Financial Statements prior to commencement of the external audit. The Committee discussed the risk posed by the decision of the Swiss National Bank to discontinue maintaining and accepting Swiss Franc denominated deposits of International organizations. The Committee was pleased that the Secretariat was proactively formulating alternative investment and cash custody approaches to mitigate the risk.

“The Financial Statements for the year ended December 31, 2014 reveal a healthy financial position, arising mainly from an increase in PCT System fees and a tightening of expenditure related to contractual services, travel and fellowships and operating expenses. The Committee commends management and Members States for the results achieved, and looks forward to managements’ continued cost optimization efforts.

“External Audit: The IAOC held one physical meeting with the External Auditor at which challenges relating to the follow up process for the External Auditors’ audit recommendations were discussed and a solution agreeable to all three parties adopted. Following the conclusion of the audit, the External Auditor issued an unqualified opinion on the financial statements of WIPO. The External Auditor also raised a number of recommendations. I will highlight here only three of these recommendations: (1) A recommendation for Management to find ways to limit delays in the implementation of the

Enterprise Resource Planning System; (2) A recommendation to Management to align certain practices noted in the administration of employee benefits to WIPO's rules and regulations; (3) A recommendation for Management to endeavor to complete its annual Program Performance Review before the conclusion of the auditors field work to enable the auditor to utilize the report in its work. Management accepted the recommendations of the external auditors. The Committee will continue to monitor implementation of the recommendations in its future sessions.

“Internal Oversight – Audit and Evaluation: At each of its sessions, the IOD briefed the Committee about ongoing and planned assignments. Generally, the Committee is satisfied with the work being undertaken to achieve the 2015 internal oversight work plan. Evaluation and Audit Reports issued during the period were discussed during our sessions, with both Management and senior staff of IOD. With the exception of the Evaluation Report for Program 30, whose finalization remains delayed, the Committee is generally happy with the effort and spirit of cooperation exhibited by both Management and the IOD in arriving at practical actionable responses to issues raised.

“Investigations: In relation to investigations, the Committee was regularly briefed on the status of ongoing investigation cases and their disposition.

“Resignation of Director, IOD: During the period under review the Director, IOD resigned. The Committee provided its input into the recruitment process which is currently in progress.

“Follow-up of Oversight Recommendations: In line with its mandate, the Committee continued to follow up on the implementation and clearance of oversight recommendations raised by the External Auditor, the IOD and the IAOC.

“As of August 31, 2015, there were 184 open oversight recommendations of which 119 are categorized as high risk and 65 as medium risk. In addition, 21 recommendations were made by the External Auditor in their Audit Report for the financial year ended December 31, 2014.

“The Committee encourages Management to continue to step up the rate of implementation of oversight recommendations.

“Program and Budget for 2016/17: In relation to the Program and Budget for 2016/17, the Committee was informed that in line with directions from Member States, capital expenditures are now incorporated under the specific program headings to which the expenditure relates. The Committee suggested further, for the sake of clarity of disclosure, that the capital expenditure incurred up to the end of the preceding biennium and the capital expenditure proposed for approval in the ensuing biennium be separately highlighted.

“Other Matters – New Construction Projects: The Committee continued to review progress on the New Construction Projects and the closure of contractors' and subcontractors' accounts. At its last meeting in August 2015, the Committee was apprised of the exercise that was being undertaken to validate the contractor and subcontractor's invoices to enable the accounts to be closed. The Committee will review the status at its next meeting in November 2015.

“Proposed Revisions to the IAOC Terms of Reference: During the period under review, the IAOC reviewed its Terms of Reference and proposed a number of changes. Input and comments on the proposed revised Terms of Reference were received from



three Member States and the Director, IOD. The comments received were duly considered and incorporated into the proposed revisions.

“The Committee wishes to thank the Director General and all WIPO staff members with whom it has interacted for their availability, openness and timely provision of documents. It also wishes to thank Member States for sharing their questions and comments at the IAOC Information Sessions and looks forward to continued engagement and dialogue.”

172. The Delegation of Japan said it did not wish to repeat what had already been stated at the 24<sup>th</sup> Session of the PBC, but again expressed its gratitude to the IAOC for its critical and essential sound oversight of the Organization.

173. The Delegation of Spain said it would be brief in its comments as discussions had already been shared in the PBC. The Delegation felt it was important to stress the significant work carried out by the Committee, the very high level of professionalism of its members and expressed its appreciation for the Committee’s work and the time that the Committee spent in sharing its analysis with Member States during the information sessions and in the reports. The Delegation suggested that perhaps the Committee could be a little more analytical and less descriptive in its reports. This would facilitate Member States’ understanding of the Committee’s view, which would contribute to help improve Member States’ knowledge of affairs and, through the suggestions and reports of the Committee, contribute to improving the functioning of the Organization.

174. The Delegation of Mexico thanked the Chair of the IAOC for the report and the Committee’s work. It, too, hoped that the reports could be as analytical as possible, thereby assisting Member States in fulfilling their oversight commitment. There were two aspects of the report which were of particular importance to the Delegation. One was concerned with the recruitment of the new Head of the IOD. It hoped that the IAOC would be kept up-to-date concerning the hiring and recruitment of the incumbent. The second aspect regarded the Ethics Office. The Delegation requested that the Office submit the annual work program so that the IAOC could comment on it. As the report of the Ethics Office did not include a work plan, the Delegation asked the IAOC to look into the matter.

175. The Delegation of the United States of America endorsed the statement made by the Delegation of Japan on behalf of Group B, which it felt provided useful information on a number of issues of key importance to the United States of America, including the audit and oversight and evaluation and ethics functions of WIPO. The Delegation looked forward to continuing to engage with the Secretariat, the IAOC and fellow Member States in promoting a strong culture of ethics, integrity and accountability throughout the Organization.

176. The Delegation of Cameroon expressed its sincere thanks to the Chair of the IAOC for the high quality work that had been carried out, and stated it was quite happy with the report. The Delegation commented that not everything was perfect and although the document was not altogether relevant in some places, the Chair of the IAOC had highlighted problems and for this it congratulated the IAOC’s Chair on the report. Making the link between the Committee and the Management of WIPO, the Delegation commented that if WIPO had not made every effort to ensure that the accounts were perfectly clear at the end of this exercise, the Chair of the IAOC would not have been able to say everything as she had presented. The Delegation concluded by congratulating the Chair of the IAOC for the quality of the work, and the Director General and his team for the high quality work that had been carried out.

177. The Chair thanked all the delegations for the statements made, noting that there was a common appreciation and thanks expressed for the work of the IAOC. In the absence of further comments, the Chair read out the decision paragraph, which was adopted.

178. The WIPO General Assembly took note of the “Report by the WIPO Independent Advisory Oversight Committee (IAOC)” (document WO/GA/47/2).

(ii) Report by the External Auditor

179. The Chair welcomed Mr. Prasenjit Mukherjee, Deputy Comptroller and Auditor General, Office of Comptroller and Auditor General of India, and invited him to present the report (document A/55/9) on behalf of the External Auditor, Mr. Shashi Kant Sharma, Comptroller and Auditor General of India.

180. The External Auditor delivered his report as follows:

“At the outset I would like to convey greetings and compliments from Mr. Shashi Kant Sharma, the Comptroller and Auditor General of India. It is my privilege to present to you today, on his behalf, the results of the External Audit of the World Intellectual Property Organization (WIPO) for the financial period ended December 2014. I thank this august Assembly for giving me this opportunity.

“The audit of WIPO was assigned to the Comptroller and Auditor General of India for the financial years 2012 to 2017 in terms of approval of WIPO General Assemblies Fortieth (20<sup>th</sup> Ordinary) Session, Geneva, held in October, 2011. The scope of the audit is in accordance with Regulation 8.10 of the Financial Regulations and the principles set out in the Annex to these Regulations.

“The audit was conducted in accordance with the International Standards of Auditing issued by the International Federation of Accountants (IFAC) and adopted by the Panel of External Auditors of the United Nations, its Specialized Agencies and the International Atomic Energy Agency, Auditing Standards of the International Organization of Supreme Audit Institutions (INTOSAI), and Regulation 8.10 of the Financial Regulations of the WIPO and the Additional Terms of Reference governing the audit of WIPO as set out in the Annex to the Financial Regulations.

“We had carried out a detailed risk analysis before taking up the audits for the year ended December 2014. Risk based execution strategy was formulated to add value to the performance of WIPO while providing independent assurance to the WIPO Management. Results of the risk analysis formed the basis for our Strategic and Annual Audit Plan.

“Our Audit Report contains 21 recommendations. The recommendations were finalized after obtaining the response of the Management on our audit findings. I am happy to report that WIPO has accepted most of our recommendations. The implementation of the recommendations is being monitored periodically.

“In addition to expressing an opinion on the financial statements of WIPO, our audit coverage included areas on economy, efficiency and effectiveness of financial procedures, the accounting system, internal financial controls and general administration and management of WIPO. The areas covered by us in this cycle of audit were the Enterprise Resource Planning System and the Human Resource Management Department.

**Audit opinion on the 2014 Financial Statements**

“Audit of the financial statements for the financial period 2014 revealed no weaknesses or errors which we considered material to the accuracy, completeness and validity of the financial statements as a whole. Accordingly, we have placed an

unqualified audit opinion on the WIPO's financial statements for the financial period ended 31 December 2014.

"I shall now briefly dwell on the significant findings of our audits conducted during the year and our recommendations flowing from them.

### **Financial Matters**

"We observed that the balance under Taxes receivable includes claims pertaining to old periods and reconciliation between claims and reimbursements was not regularly done. We, have, therefore, recommended that WIPO may expedite the process of reconciliation of outstanding claims.

"According to the United Nations Policy Framework for IPSAS, though the UN will not recognize heritage assets, it will include a high level description of significant heritage assets in the notes to the financial statements. We observed that WIPO did not disclose details of heritage assets including 'works of art' in their financial statements. We also noted that physical verifications conducted in 2014 reported that some items classified as "works of art" were missing. We have recommended that WIPO may disclose details of heritage assets in the Financial Statements and may take steps for strengthening the security systems to prevent further loss of such assets.

### **Enterprise Resource Planning System**

"WIPO started the implementation of Enterprise Resource Planning (ERP) system in 2010 with four streams, which was to be over by end of 2015. According to the revised timeline informed to the Member States in the 2014 ERP progress report, the ERP system would now be completed by the second quarter of 2016. The current status of portfolio of projects indicated that, out of 19 projects listed under the ERP, one project was completed and seven projects have gone live. We have recommended that WIPO may continue exploring ways to limit the delay at a project level as well as at the portfolio level in implementation of the Enterprise Resource Planning system so that the project could be completed as per the revised timeline.

"We observed that WIPO did not have a Document Management System for projects undertaken under ERP system. WIPO stated that in the absence of a document management system, the ERP Project Management Office and the different project teams currently used existing tools available including the filing system and the WIKI to ensure that documents were filed and could be accessed by users. We have recommended that WIPO may strengthen the document management system so that project related documents are maintained at one place.

"We observed that WIPO has not put adequate detail in deliverable/services under each milestone of the contract with the external implementing partner. In the monitoring mechanism, weekly progress report of projects did not include sufficient details for monitoring the progress of issues, deliverables/services, contractual obligations, and review of contractual performance of the contract. We have recommended that WIPO may strengthen its contract management and monitoring mechanism for smooth and timely delivery of deliverables/services under defined milestones and augment documentation relating to contract modification.

"We test checked the Weekly Project Status Report related to ERP HR Project - Phase I and found that several issues remained open for long periods up to 83 weeks. Further, the ERP Project Management Office (EPMO)/ Project Teams were not doing any sensitivity analysis of the issues to understand their importance in the overall project

governance and prioritize their mitigation. We have recommended that WIPO may consider carrying out a sensitivity analysis of issues raised during the EPMO/Project Board meeting based on their criticality.

### **Human Resource Management Department**

“We carried out the compliance audit of the Human Resource Management Department to assess whether the system and procedures were sufficient and in place to ensure compliance with the provisions of the Regulations, Rules, manuals, circulars and instructions. We observed that there were cases of non-adherence to the regulations related to payment of premium of insurance for non-service incurred accidents, dependency allowance, language allowance, overtime and special post allowance. We have, therefore, recommended that WIPO may follow the Staff Regulations and Rules in these cases.

“In conclusion, on behalf of the Comptroller and Auditor General of India and all my colleagues who were deputed to conduct the audit of WIPO, I wish to place on record our appreciation for the cooperation and courtesy extended to us during our audit by the Director General, the Secretariat and the staff of WIPO.

“I thank the Honorable Chair and the distinguished delegates for providing us the opportunity to present our report before you.”

181. The Delegation of Japan, speaking on behalf of Group B, expressed its gratitude to the External Auditor and wished to reiterate its comment on one important point concerning Human Resource Management in the External Auditor's report, underlining the importance of appropriate internal regulations in the Organization, and urging the Secretariat to guarantee that those would be duly observed.

182. The Delegation of China thanked the External Auditor for his report. The report had made a number of very important recommendations and the Delegation hoped that these recommendations would be duly taken into account by WIPO and would be put into effect. The Delegation added that during the 24<sup>th</sup> session of the PBC, China was glad to see that the External Auditor had noted that the payment cycle of the China Office was within three months and stated that in the future it would continue to cooperate with the IB in order to further reduce the payment cycle.

183. The Delegation of Spain supported the statement made by Group B and wished, particularly, to thank the External Auditor for the excellent work done, the quality of his report as well as that of previous ones, and stressed that the recommendations and the appropriate application of rules and standards, in particular those related to Human Resources, were related to improving the efficiency of the Organization. The Delegation also thanked the Secretariat for very rapidly complying with the recommendations. Furthermore, the Delegation congratulated the Secretariat on the unqualified opinion that the External Auditor had given to the accounts.

184. The Assemblies of the Member States of WIPO and of the Unions, each as far as it is concerned, took note of the “Report by the External Auditor” (document A/55/9).

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

185. The Acting Director of the Internal Oversight Division (IOD) thanked the Chair and delegates for the opportunity to submit the salient points of the Annual Report of the IOD. As all the details of oversight activities were provided for the reporting period in document WO/GA/47/4, the Acting Director wished to provide a very brief summary of the main points in the Annual Report. The Acting Director recalled that the main change over the

reporting period was the revision of the Internal Oversight Charter, which had been approved at the last General Assembly, and that the changes further enhanced the clarity and transparency of the Organization's oversight activities. The Acting Director outlined that, with regard to implementing its risk-based oversight plan, the IOD had completed most of the assignments planned for 2014 and 2015. The Acting Director specified that the IOD's oversight work covered key operational areas, business processes and programs. Timely completion of oversight assignments enabled the IOD to provide reasonable assurance to its internal and external stakeholders (WIPO senior management, Member States, the IAOC and the External Auditor) on the effectiveness and efficiency of WIPO's risk management, governance and compliance mechanisms and systems. Without going into detail, the Acting Director indicated that about 50 per cent of IOD's investigative activities dealt with complaints, which mostly related to alleged harassment, discrimination or abuse of authority, as well as alleged abuse of work time. During the reporting period, the IOD had issued eight investigation reports and two management implication reports. The Acting Director stated that it continued to seek feedback by way of surveys from colleagues on the quality of the oversight work, and the results were an average satisfaction rate of 83 per cent. The Acting Director stressed that it had also taken on board suggestions made to further improve the quality of its oversight work in a continuous manner. The Acting Director emphasized that follow up of outstanding recommendations continued to be one of the recurrent IOD activities during the reporting period. As stated in the Annual Report, there were 184 open recommendations of which 119 were high importance recommendations, while the rest were medium risk recommendations. On the other hand, it reported that it had closed, after verification, 107 recommendations as implemented. During the reporting period, the IOD provided management with advice on organizational policies, procedures and systems. The IOD participated as an observer at sessions of the investment committee sessions and also attended various *ad hoc* committees as and when needed. The Acting Director confirmed, as reported to Member States the previous year, that the IOD had completed its External Quality Assessments (EQA) for its audit and evaluation functions, and that the planning phase was on going for an EQA of its investigation function. The fieldwork would start in a few days. The Acting Director expected the report by mid-November. This would complete the EQAs for all IOD functions. With respect to IOD resources, the Acting Director underlined that the level of resources, which corresponded to 0.76 per cent of WIPO's budget and almost 1 per cent of the organization's workforce, might be considered, somehow, as low, compared to certain standards such as those recommended in past reports of the JIU. However, it was emphasized that the IOD had managed to cover all high priority and high risk areas. This was accomplished through effective coordination of oversight activities with the External Auditor and more effective and efficient use of information technology (IT) tools in conducting oversight activities. As for staffing, conversion of temporary professional positions into posts, in a phased manner, would further enhance staff motivation and retention of institutional knowledge and experience within the Division. Furthermore, the IOD maintained an excellent working relationship with the External Auditor with whom the IOD regularly met and shared respective oversight plans. They also exchanged views on governance and risk issues to ensure available resources were used in the most efficient way to minimize any duplication of oversight activities while maximizing oversight coverage. The Acting Director said that the IOD had continued to have a constant dialogue with the IAOC on a regular basis and that it benefitted from continuous support and the valuable advice of the IAOC that aimed at further improving the overall functioning and quality of IOD's work.

186. The Delegation of Romania, speaking on behalf of the CEBS Group, thanked the Secretariat for all three reports presented that morning. The CEBS Group saw audit and oversight as important functions as they allowed Member States to receive assessments from an independent perspective on the financial statements and the efficiency, effectiveness and relevance of WIPO's activities. It welcomed the reports produced by the IAOC, the External Auditor, as well as by the Acting Director of the IOD, and thanked them for their valuable work. The CEBS Group was pleased to see that they highlighted a number of positive conclusions, including the financial statements for 2014. At the same time, it took note of the fact that some

areas required further improvement and believed that such reporting could greatly contribute to the improvement of the management of various activities of the Organization. Consequently, the CEBS Group looked forward to noting the implementation of the recommendations formulated therein.

187. The Delegation of India thanked the External Auditor for the presentation on the report of the financial statements of WIPO for the year 2014 ending December 31, and for the recommendations made on the basis of audits carried out in 2014-2015. The report was comprehensive, submitted on time and provided ample opportunity for Member States to deliberate on it. The Delegation had gone through the observations by implementation, concerning financial management, operation of the Enterprise Resource Planning (ERP) system and human resource management. It had also carefully studied the recommendations made by the External Auditor to the WIPO Secretariat. Reports by the External Auditor had been an invaluable tool for the work of the PBC. The Delegation was confident that the reports from the External Auditor, who had undertaken external audit of several international organizations over the past years, would be of immense value. The degree of competence, credibility and trustworthiness of the supreme audit institute of India had been well-recognized by virtue of its engagement with other UN bodies. The Report pointed to 19 projects listed under the ERP system. One project was completed and seven projects had gone live. Consequently, the External Auditor had not been able to assess overall benefits derived by WIPO from the ERP system, given the delays and inter-linkages among projects. As such, the monitoring of the implementation of recommendations made by the External Auditor was important. The Delegation presented its compliments to WIPO management for their response to the recommendations by the External Auditor and the measures taken by them as improvements in different areas. The Delegation urged the Secretariat to take action to implement pending recommendations. The Delegation placed on record its appreciation to the External Auditor for the diligent work and for making a timely presentation of the report which would be seen in the basis of the PBC's recommendation.

188. The Delegation of Japan, speaking on behalf of Group B, thanked the IOD for its work and critical report. Among others, Group B stressed its expectation of improvement of the current operational issues in the WIPO Academy that would result in a good basis to achieve its new mandate once it is formalized.

189. The Delegation of Spain thanked the IOD for its work. The Delegation acknowledged that it had read the reports with great care and that it believed that they were of great assistance, together with the other oversight bodies, in contributing to improving the performance of the Organization. There were two points that the Delegation wished to mention. First, the Delegation hoped that when the position for the Director, IOD was filled, the quantity and detail of the reports would remain the same as produced by the IOD until now. In previous Assemblies, the Delegation had inquired about the possibility of access to internal audit documents. Since there was a new policy of access to such documents, which had come into force, it wondered whether it would be possible to examine a mechanism which would facilitate access to reports that existed before the entry into force of that new policy. Otherwise, it seemed rather strange that it would be easy to access those reports, and to consult them whereas, with respect to previous reports, Member States had to go through a rather heavy procedure of having to make a request and receive them *via* protected means. The Delegation indicated that it was not asking for publication of all reports, but just asking the Secretariat to think about whether it might be possible to facilitate access to prior reports. The Delegation requested that this issue be examined as it had, indeed, raised it the previous year.

190. The Delegation of Mexico thanked the interim Director of the IOD and the External Auditor. The Delegation took note of the External Auditor's report and appreciated that the financial statements were prepared in accordance with IPSAS and that there was an unqualified opinion. The Delegation urged WIPO to adopt all the recommendations concerning institutional

and human resources management aspects. It was particularly drawn by the comment made to include the heritage assets within the financial statements. The Delegation supported the inclusion of these heritage assets because it believed this would lead to greater transparency for the WIPO financial situation, and the Delegation would ask the Organization to follow this recommendation from IPSAS.

191. The Delegation of Turkey thanked the Secretariat for its valuable work and aligned itself with the statement made by the Delegation of Japan on behalf of Group B.

192. The Secretariat thanked the Member States for their positive comments and support for the work achieved in the IOD. The Secretariat confirmed that it was considering how to find the most cost effective way, while providing access to some oversight reports issued before the publication policy came into effect. Once a clear idea of what could be provided had been identified, the Member States would be informed.

193. The WIPO General Assembly took note of the “Annual Report by the Director of the Internal Oversight Division (IOD)” (document WO/GA/47/4).

#### ITEM 11 OF THE CONSOLIDATED AGENDA

#### REPORT ON THE PROGRAM AND BUDGET COMMITTEE

194. Discussions were based on documents A/55/4 (Decisions Taken by the Program and Budget Committee), A/55/5 Rev. (Proposed Program and Budget for the 2016/17 Biennium) A/55/6 (Program Performance Report for 2014), A/55/7 (Annual Financial Report and Financial Statements 2014), A/55/8 (Status of the Payment of Contributions as at September 1, 2015), A/55/11 (Progress Report on the New Construction Project and the New Conference Hall Project), and A/55/INF/10 (Understanding of the United States of the Unitary Contribution System and the Unitary Budget as they Relate to the Lisbon Agreement).

195. The Chair noted that Agenda Item 11 covered all issues discussed by the Program and Budget Committee (PBC) at its 23<sup>rd</sup> and 24<sup>th</sup> sessions, except “Reports on Audit and Oversight” that had been discussed under Agenda Item 10. The Chair specified that seven documents were under consideration. As mentioned in document A/55/4 “Decisions Taken by the Program and Budget Committee”, the Committee could not conclude on the following issues: (a) the final progress report on the New Construction Project and New Conference Hall Project; (b) the proposed Program and Budget for the 2016/17 biennium, including Lisbon-related issues. In this regard, the PBC had requested interested Member States to continue consultations on outstanding issues with a view to approving the proposed Program and Budget 2016/17 during the 2015 Assemblies of Member States for the benefit of WIPO and its Member States. The Chair added that under point (b), the PBC could not conclude the issue of new external offices. Additionally, the PBC had taken note that no consensus had been reached on the following issues raised by some delegations: (a) the proposal that “the earmarking of funds for any diplomatic conferences in 2016/17 be conditional on such conferences being open to the full participation of all WIPO Member States”; (b) “the need for a revision of the methodology on the allocation of income and expenditure by Unions, including the allocation of miscellaneous income of the Organization”. Therefore, the Chair proposed, as in the previous year, to leave those issues aside and first address all other issues that had been fully dealt with by the PBC. All pending issues would be discussed afterwards. The Chair invited the Secretariat to report on the results of the PBC, except on the pending issues referred to above. The Chair recalled that the PBC had taken place very recently and that there was a document clearly outlining its results. Therefore, he encouraged a brief presentation.

196. The Secretariat opened by stating that 2015 was a “budget year” for WIPO, which, in accordance with the “mechanism” adopted by Member States for the approval of the

Organization's Program and Budget, required two sessions of the PBC to be held in the year, thus providing for two readings of the draft Program and Budget. The PBC accordingly had held two formal sessions this year, its 23<sup>rd</sup> session from July 13 to 17 and its 24<sup>th</sup> session from September 14 to 18, 2015. The agendas of both PBC's had been heavy, with good progress made in both sessions on the new as well as certain long outstanding items. Excluding those items already addressed under Agenda Item 10 (Report by the WIPO Independent Advisory Oversight Committee; Report by the External Auditor; and Annual Report by the Director of the Internal Oversight Division), the PBC had taken note of and/or recommended for approval by the Assemblies the following: (i) the Program Performance Report for 2014; (ii) a proposal to enhance program performance and financial reporting; (iii) WIPO's revised policy on investments, which would result in the implementation of two investment policies – one for Operating and Core Cash, and one for Strategic Cash; (iv) WIPO's policy related to the Reserves (net assets) of the Organization; (v) Progress reports on the implementation of the Joint Inspection Unit's (JIU) recommendations put forward in the Management and Administration Review in WIPO as well as in respect of recommendations addressed to Legislative Bodies; (vi) Final or Progress Reports on Certain Projects, including the Project to Upgrade Safety and Security Standards for the Existing WIPO Buildings; the Implementation of a Comprehensive Integrated Enterprise Resource Planning (ERP) System in WIPO; and Information and Communication Technology (ICT) Capital Investment Project; (vii) the Review of the Terms of Reference of the WIPO Independent Advisory Oversight Committee (IAOC) as well as the IAOC's upcoming membership rotation; (viii) the definition of "development expenditure" in the context of the Program and Budget to be first applied to the draft proposed Program and Budget 2018/19; and (ix) the Annual Financial Report and Financial Statements 2014 and the Status of the Payment of Contributions. The Secretariat then provided an update on the status of the payment of contributions paid since September 1, 2015: Côte d'Ivoire 99,218 Swiss francs, Honduras 13,914 Swiss francs, Jordan 2,410 Swiss francs, Mali 46 Swiss francs, Niger 102 Swiss francs, Russian Federation 68,850 Swiss francs, Tonga 2,849 Swiss francs, United States of America 170,921 Swiss francs, for a total of 358,310 Swiss francs.

197. The Chair recalled that Member States had already had a thorough discussion on those issues at the September PBC session. Therefore, for the sake of efficiency, delegations might wish to refer to their interventions made at the PBC. They might also submit full written statements to the Secretariat so that they would be reproduced in their entirety in the report.

The Chair also reminded delegations that it was not necessary to take the floor to endorse or repeat statements made by the Regional Coordinators. The Chair thanked delegations for their understanding and opened the floor for comments on the matters covered by the Secretariat's presentation, except the pending issues that would be addressed immediately afterwards, i.e., construction projects, new external offices and issues related to the Lisbon System.

198. The Delegation of Japan, speaking on behalf of Group B, stated that its comments would refer to the PBC issues as a whole. Group B thanked the Chair and the Secretariat for their hard work over the past year, including the preparation for the present Assemblies. Group B felt that the Chair's skillful chairmanship, including the clear identification of remaining issues to be solved at the subsequent discussion, significant and excellent work by the Secretariat, combined with the forward looking spirit of Member States had led to the current methodology of having two formal sessions of the PBC to make sense. Continuation of that methodology and spirit was expected in the future. Although it was made clear that what Member States had to solve at the present Assemblies required more collective effort by Member States in order to give the final touch to the Program and Budget. Recently, WIPO had significantly improved its work through the implementation of a results-based management system (RBM). The RBM was an important mariner's compass which Member States gave to the Organization. Such a compass could not be given to the Organization without the approval of the Program and Budget. That was what Member States had to seriously keep in mind in the consideration of the Program and Budget. Member States also had to bear in mind that the financial basis of the Organization mainly depended on the fees provided by global IP services. The Delegation



concluded by saying that, from a Coordinator's point of view, the consensus on the approval of the Program and Budget in a timely manner was a responsibility of all Member States.

199. The Chair thanked the delegations for their constructive attitude and added that the statement made by the Delegation of Japan would be reproduced in the report.

200. The Chair proceeded with reading a proposed decision paragraph appearing in document A/55/4 entitled "Decisions Taken by the Program and Budget Committee" pertaining to all issues covered under Agenda Item 11, except the pending issues outlined at the opening of the item (see second paragraph of this agenda item).

201. In relation to the issues referred on the previous paragraph, the Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned:

(i) took note of the "List of Decisions" taken by the Program and Budget Committee (document A/55/4), and of the updated "Status of the Payment of Contributions as at September 1, 2015" (document A/55/8); and

(ii) approved the recommendations made by the PBC as contained in document A/55/4.

202. The Chair opened discussion on the first of the pending issues, i.e., Progress Report on the New Construction Project and the New Conference Hall Project (document A/55/11) and invited the Secretariat to introduce the document.

203. While introducing the progress report on the New Construction Project and the New Conference Hall Project covering the period since the last report presented at the 2014 sessions of the Assemblies, the Secretariat noted that the PBC at its 24<sup>th</sup> session, held in September 2015, had deferred the discussions on the matter to the Assemblies (document A/55/4). The Secretariat recalled that the New Conference Hall and all adjacent facilities as well as renovated floors in the AB Building had been completed in time for holding the 54<sup>th</sup> sessions of the Assemblies in September 2014. The new Hall had been used on a number of occasions over the past year for WIPO meetings and events as well as for hosting other events for other international organizations and entities. Almost all the outstanding repair and replacement works relating to the New Construction Project had been completed over the past 12 months, the remaining works being expected to resume after the Assemblies and to be completed before the end of 2015. A number of outstanding items relating to the New Conference Hall Project had also been completed, while some of the exterior landscaping and plantation of new trees were expected to be installed this coming winter. Moving on to oversight and audit on the construction projects, the Secretariat confirmed it had presented progress reports to the IAOC on a regular basis, that there were no outstanding recommendations from the IOD, and that eight out of 10 recommendations made by the External Auditors had been implemented, leaving only two which were currently being addressed. Concerning the budget and financial situation of the New Construction Project, the Secretariat indicated that the ongoing repair and replacement works were financed from funds retained from the former General Contractor while the exterior landscaping and other related items were financed from the funds approved by the Assemblies in 2014. The Secretariat recalled that the total budget envelope approved for the New Conference Hall Project until 2014 amounted to 75.2 million Swiss francs. The discussions on final accounts had been completed with 102 out of a total of 108 companies and firms, leaving three companies and three firms of professional specialists with which discussions were still ongoing in order to validate their final invoices and accounts. The margin of uncertainty as to the final figure for those remaining accounts was minor. The Secretariat recalled that there had been three main reasons for the increased cost of the Project, as detailed in the document: (i) the actual quantities of materials needed during construction had been in some cases much higher than initially estimated; (ii) delays had been

caused during construction by the complexity of the worksite and of the inter-disciplinary coordination amongst the various companies and firms; and (iii) the fact that a number of companies had not planned to stay on site as long as was eventually needed, but had nevertheless to bring more workforce for more worktime in order to meet the deadline of opening the Hall in September 2014. As previously indicated, the final invoices received from the construction companies and suppliers are being validated through the established process involving the engineers, the worksite management, the architects and the pilot before being presented to the Secretariat. As an integral part of this process, the scope, quantities survey and cost of project modifications requested by the Secretariat during construction are being verified and validated, with due regard to the fact that the new Hall had to be ready for the 2014 Assemblies. The Secretariat concluded this point by reiterating that only six accounts (out of 108) remained to be discussed and validated. The Secretariat emphasized that, in that context, it had to remain mindful of preserving the Organization's best interests and of avoiding any situation which could jeopardize a reasonable and amicable conclusion of those ongoing discussions in the very near future for closing the accounts with the remaining companies and firms. Even though it was not in a position to articulate a final definite figure for the overall cost of the Project, the Secretariat did not expect that the additional budget amount needed would exceed 3.5 million Swiss francs. That additional amount would be financed from the savings generated by cost efficiencies made during the 2014/15 biennium. The Secretariat concluded its presentation by confirming that, when making its final report on the construction projects in 2016, it would include a lessons learned report, as had been requested by some Member States in past years.

204. There being no comments, the Chair read out the proposed decision paragraph, which was adopted.

205. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned:

- (a) took note of the contents of the Progress Report on the New Construction Project and New Conference Hall Project (document A/55/11), including the fact that discussions were ongoing with the remaining three companies and three firms of specialists on their final accounts;
- (b) took note that the Secretariat:
  - (i) made the utmost efforts to minimize, to the extent possible, the potential additional funding requirement for the completion and closure of all accounts related to the New Conference Hall Project;
  - (ii) had closed almost all (102 out of 108) accounts related to the New Conference Hall Project before the 2015 Assemblies, and that it would undertake every possible effort to close the remaining six accounts as soon as possible after the Assemblies; and
- (c) exceptionally approved that potential additional expenses related to the completion and closure of the New Conference Hall Project, in excess of the 75.2 million Swiss francs approved budget for that Project, to a maximum of 3.5 million Swiss francs, be absorbed from the overall budgetary envelope contained in the approved 2014/15 Program and Budget.

206. The Chair referred to the pending issue of the new external offices and announced that Ambassador Ana María Menéndez (Spain) had been appointed to conduct informal consultations on external offices. An initial meeting had already been held and the consultation would continue in the following days. There were no requests for the floor on that issue.

207. The Chair referred to the Proposed Program and Budget 2016/17 and the pending Lisbon/PBC-related issues. The Chair recalled that in the present draft Program and Budget 2016/17, Lisbon was a stand-alone program, Program 32, which was a result of the separation of the budgetary presentation of the Madrid and Lisbon Systems, as per the PBC decision taken at its 24<sup>th</sup> session. In addition, all the relevant tables and annexes had been updated, as appropriate, following the split of the Madrid and Lisbon Systems into two different programs. The Chair remarked that all members were aware that some delegations had linked progress in sorting out the Lisbon related issues to the approval of the Program and Budget. He added that a coordinated facilitation process regarding this agenda item had not been started yet and said that he would assume the responsibility of facilitating that discussion, which was going to be a horizontal one. The Chair proceeded to open the floor for any delegation wishing to make any comments on the linkage between sorting out the Lisbon related issues and the approval of the Program and Budget.

208. The Delegation of Romania, speaking on behalf of the CEBS Group, expressed its support for the current draft Program and Budget 2016/17. With respect to the question regarding the Lisbon Union, the CEBS Group supported the enhanced transparency and the financial sustainability of the Lisbon Union. At the same time, the Group fully adhered to the current methodology on the allocation of income and expenditure by unions, based on which the Program and Budget was produced. As to the proposal concerning the earmarking of funds for future diplomatic conferences being conditional on the full participation of all Member States, the CEBS Group was not in favor of such a decision, as it believed that that went against the law of Treaties. Last but not least, the CEBS Group truly hoped that the Program and Budget 2016/17 could be adopted by consensus at the present Assemblies.

209. The Chair wondered whether the Delegation of the United States of America would wish to present its proposal on the matter at that stage for all delegations to listen and have an overall initial reaction to it.

210. The Delegation of the United States of America opened by stating that the first two items that were gavelled were a testament to the Chair's skills and diplomacy as an excellent Chairman and the Delegation applauded the Chair for the significant progress that had been made. The Delegation recalled that at the July and September PBC sessions, the Delegation had indicated that it would not be in a position to support an approval of the proposed Program and Budget 2016/17 absent the following conditions: (1) that there be a separation of the accounting for the Lisbon and Madrid Systems; (2) that the Lisbon System's income and expenses whether direct or indirect be accurately reflected; (3) that the Lisbon budget was balanced without the use of other union's income; (4) that the Secretariat conduct a study on Lisbon's financial sustainability; (5) that the earmarking for any diplomatic conference in the 2016/17 biennium be conditional on full participation of all Member States; and (6) that the Secretariat review Annex III of the proposed Program and Budget to make it more accurate. The Delegation appreciated the work that had been done so far to improve the reporting of WIPO's income and expenses and to define budget priorities and the expected results of WIPO's programs. One of the objectives of WIPO was to ensure administrative cooperation among Unions. This was set forth in the WIPO Convention and the Delegation viewed the present meeting as an important mechanism for that co-operation. To ensure that cooperation in the future, the Delegation had asked that the proposed Program and Budget be revised to reflect that any diplomatic conference in the 2016/17 biennium was open to the full participation of all members. The Delegation understood that the diplomatic conferences that were being contemplated for that biennium would be open to all members and requested confirmation from the Secretariat on that fact. In addition to facilitating a conversation, the Delegation believed

cooperation could also mean making financial sacrifices by one Union to support another. For over 50 years the Lisbon System had not been self-sufficient and had depended upon income from other unions to support it. The Delegation was not prepared for this to continue and thus, as a condition to it joining consensus to approve the Program and Budget, it had insisted that the Lisbon Union balance its budget. The Delegation recalled that it had suggested as part of its proposal to the Madrid Union Assembly that the Assembly decide to distribute its excess surplus. That might help Lisbon members that were also members of the Madrid Union to help fund their working capital fund. The Delegation had also suggested that funds-in-trust that were available in the 2016/17 biennium of certain members of the Lisbon Union might be made available to cover the deficit of that Union. The Delegation was willing to work with the Lisbon Union but needed to see that it was contributing to the overall goals of the Organization in the same manner as other Unions so as to support the Organization. The contribution-financed unions benefited everyone and WIPO did have a specific role to play in facilitating IP rights related to those unions. However the fee-funded Unions were different, as correctly pointed out several times during the present Assemblies. The unitary contribution system did not cover the fee-funded unions. With regard to the Lisbon Union, that Union had utilized the funds of other unions, including the unitary contribution financed unions, to convene a diplomatic conference that had excluded five-sixths of the WIPO membership from full participation relating to a subject matter covered by other unions, including the Paris Union and the Madrid Union. In such a situation the Delegation felt that it was especially important that the Lisbon Union be financially self-sufficient and generate income to support the overall functioning of the Organization. If geographical indications protected TK, for example, then the Delegation believed that the Lisbon Union should support Program 4, which had not been the case. If geographical indications promoted development, the Delegation believed that the Lisbon Union should support Program 8 but that had not been the case. If geographical indications were important to developing countries and least developed countries, the Lisbon Union should be supporting the Regional Bureaus but that had not been the case. All members knew that geographical indications were important, but the Lisbon Union had not been supporting Program 10, and the list went on. Because the Lisbon Union had subsisted on the revenues generated by the Organization there was less funding available for the work by the other unions to which the majority of WIPO members belonged. The Delegation hoped that other delegations would join in asking the Lisbon Union to step up and contribute to the Organization in a meaningful way. Furthermore, to join consensus in approving the Program and Budget 2016/17 the Delegation had emphasized that the allocation methodology of income and expenses of the unions needed to be more fairly and more transparently conveyed. The Delegation understood that Annex III of the proposed Program and Budget had been based on the same methodology for many years, but as the Delegation had studied it to try and understand exactly what the income and expenses of the unions were, it realized that it had not understood the methodology at all. When the Delegation had asked other members for help in understanding it, it had been clear that they had not understood it either. The previous week, the Secretariat had organized an informal briefing which was very much appreciated. The Delegation understood that an alternative methodology, other than that currently used in Annex III, could be pursued that might more fairly allocate the income and expenses across the unions, especially to the contribution-financed unions. One fact that was striking to the Delegation as particularly unfair was that the Lisbon Union and the contribution-financed unions received the same amount, almost 700,000 Swiss francs every two years, of the Organization's miscellaneous income even though the Lisbon Union was just one Union and the contribution-financed unions were six Unions. That was also unfair because, as shown in Annex III, it appeared that contribution-financed unions were not able to cover their expenses in 2016/17 and, in the near future, contributions would need to be increased to cover those. A different allocation of miscellaneous income, one that did not treat a fee-financed union the same way as the contribution-financed unions for the purposes of that type of income, could avoid an increase in contributions. If the Lisbon Union's share of other income was, instead, allocated equally to each of the unions represented by the grouping, the contribution-financed unions would have a surplus and there would be no need to increase contributions. In addition,

indirect expenses could be allocated differently to ensure that each union was paying an appropriate amount of expenses and that might also avoid the need to increase WIPO member contributions for the contribution-funded unions. To know whether WIPO member contributions should be increased or whether all registration system fees needed to be increased, the Delegation hoped that WIPO members would join it in asking the Secretariat to consider an alternative methodology for Annex III. In the last PBC meeting, members had decided that expenses of the Madrid and Lisbon Systems would be disaggregated so that they were reflected in two separate programs. The Delegation appreciated that this had been done and thanked the Secretariat for its work to separate the two Systems in the budget. The result was that the proposed Program and Budget was more clear. The Delegation noted, however, that the accounting for 2014/15 for Program 6 had all expenses reflected for the Madrid System and the Lisbon System. The Delegation requested that the expenses that were actually for the Lisbon System be reflected in Program 32 and not Program 6. Another point that the Delegation had asked for was that the Lisbon Union budget be balanced without the use of other unions' income. In this respect, the Delegation was disappointed by the decision that seemed to be about to be made by the Lisbon Union Assembly to merely increase the fees to 1,000 Swiss francs instead of the comparable fee for the Madrid System of over 3,000 Swiss francs. Without the Lisbon Union adhering to its own agreement, the Delegation could not join consensus in approving the Program and Budget. It had been 50 years where the Lisbon Union had not been financially responsible. The unitary contributions were intended for other unions, but the Lisbon Union was spending the resources of the contribution-financed unions, the PCT union and the Madrid Union and was continuing to be financially irresponsible. The Delegation requested that the Union take a serious look at the options paper suggested by the Secretariat and the fee proposal and consider whether it could find a way to make the system more financially responsible. In closing, the Delegation assured that it was looking forward to continuing the discussion about how to improve the Program and Budget reporting with other WIPO members and a successful resolution of the issues that it had raised during the meetings.

211. The Chair commented that as the Delegation of the United States of America had said, the six issues it had raised had been discussed during the PBC and the Secretariat had done its best to respond to what was viable and feasible and help delegations understand the implications of every issue. Some partial progress had been made regarding those issues and concessions had been made by delegations in trying to accommodate at least some of them. However, it was clear to everybody that the Delegation of the United States of America was not satisfied with the progress made so far. This issue had to be raised, specifically because of the linkage that the Delegation of the United States of America had made between its willingness or not to approve the proposed Program and Budget and to sorting out, at least partially, if not all of their six issues. Many agenda items relating to that remained: the PCT, the Madrid Union and also the Lisbon Union agenda items, whose Assemblies were still open and there was, hopefully, some room for them to continue discussing the specific ways in which they could answer and contribute to a solution given the requests that had been made. The Chair thought that at the present time, there was no point in giving the floor to delegations because the membership knew where delegations stood regarding the list of requests of the Delegation of the United States of America. The Chair reiterated that he was going to personally try to facilitate some kind of closing of positions and added that the process would begin after the end of the day's meeting. Following those consultations, a report on the progress would be made to the plenary. The Chair recalled a question asked to the Secretariat regarding the earmarking of funds for diplomatic conferences and the conferences being open to all members. The Chair invited the Director General to answer that question.

212. The Director General stated that he did not believe that it was within the Secretariat's competence to be able to answer that question. It was for the Member States to take that decision. It also placed the Secretariat in the invidious position of having to decide which diplomatic conferences would be held which was something that the Member States had to decide. The Director General said that diplomatic conferences on the Design Law Treaty and possibly the Broadcasting Treaty were under contemplation and up until the present time, there

had been no suggestion that they would not be open to the full membership. Insofar as a number of delegations had pushed for a diplomatic conference in relation to IGC issues, there had not been any suggestion that it would not be open to the full membership. Insofar as certain delegations had pushed for legally binding instruments in the field of exceptions and limitations, there, again, the same applied and there had been no suggestion that that would not be open to the full membership. The Director General added, however, that the Secretariat did not have the competence to take that decision. It was something that the Member States had to decide in the treaty organs that made the recommendations for the convening of diplomatic conferences, be it the WIPO General Assembly or another treaty organ. The Director General said that he could give the assurance that up until the present time, all seemed open but the ultimate decision lay in the hands of the Member States.

213. The Chair asked whether any delegation that could contribute to solving the impasse wished to take the floor.

214. The Delegation of Iran (Islamic Republic of) stated that the present venue was not the right place to discuss the legitimacy of the diplomatic conference on the Lisbon Agreement and the full participation of WIPO Member States in future diplomatic conferences. That decision would be taken in accordance with international law and the relevant treaties. The Delegation wished to reiterate the proposal it had presented the previous day and hoped that a compromise solution could be found to pave the way for adoption of the Program and Budget which was essential for the Organization and its Member States. The Delegation had proposed to approve the Program and Budget, with the split of Program 6 into two programs as the Lisbon Member States had proposed in their meeting. As for the proposals made by the Delegation of the United States of America, the General Assembly could refer those to the next session of the PBC which was the right place for discussing such issues, especially since some proposals were about restructuring WIPO and changing the rules concerning the allocation of the budget. The Delegation proposed that those matters be referred by the General Assembly to the next session of the PBC and the results could be reported to the next General Assembly (2016) for taking an appropriate decision.

215. The Delegation of Italy, speaking on the Program and Budget proposal and Program 6, said that in a spirit of open and constructive dialogue and with a view to engaging in reaching an agreement on the Program and Budget, it could accept a separation in the accounting of the Madrid and Lisbon Systems in Program 6. That would reply to the urgent need of less budget aggregation as called upon by some delegations, so that the income and expenses of the Lisbon System were indicated in a more fair and transparent manner. However, it should be understood that for the Delegation, splitting of the Madrid and Lisbon System figures for mere accounting purposes would have no impact on the union allocation methodology. The Delegation stressed that it was referring to the methodology that applied to all fee-funded unions. Therefore, members would not only be discussing changes to the methodology that applied to the Lisbon Union, but also changes for all unions, including the Hague System. Moreover, the separation should not affect the principle of the unitary budget of the Organization, which was of key importance for Italy.

216. The Delegation of the Republic of Korea considered the separation of the accounting in Program 6 as very good progress towards the transparent and fair operations of the global IP system. The Delegation asked why the Assemblies were talking about the Lisbon System. The answer was that although members respected the system's independence and autonomy, it had influence on WIPO generally and that was why Member States were discussing it in the Assemblies. The Delegation firmly requested that each union or each registration system should make the best effort to attain financial sustainability. The Delegation noted that, so far, good progress had been made but added that it would continuously look at the results of the Lisbon Union's effort for financial independence or autonomy and then could come back to the Program and Budget issue.

217. Having heard the delegations' interventions, the Chair commented that the issue in trying to approve the Program and Budget was that some delegations related that decision to other agenda items. There had been plenty of time under other agenda items to discuss specific elements of that issue, but again, members needed to treat them collectively and that was why the Chair took the responsibility to chair a process of trying to address the entire matter collectively to see if a compromise solution could be found. The Chair thanked the Delegation of Iran (Islamic Republic of) for offering to contribute to the compromise solution, knowing how strong the Delegation's position had been regarding the matter. The Chair invited the Director General to provide more clarifications.

218. The Director General said that in the interests of trying to reduce the list of issues, he would address one of the points raised by the Delegation of the United States of America, namely, that it would seem that, with the agreement of all the Member States, the transparency that the Delegation sought with respect to the division of accounts between the Madrid and Lisbon Systems for the 2016/17 biennium had been achieved. The Delegation had also mentioned that that had not been done for 2014/15. The explanation was that the 2014/15 Program and Budget had already been approved and had a given structure, which combined the Madrid and Lisbon Systems in Program 6. That could not then later be "uncombined" for the 2014/15 biennium and reported separately under Program 32, which had not existed in that biennium. What the Secretariat might be able to do to try to assist the Delegation, but that depended upon a consultation with the External Auditor so a definitive answer could not be given at this stage, was that within the context of Program 6 in the financial statements that would eventually be produced, the Secretariat could seek to differentiate between the various expenditure items in relation to Madrid and in relation to Lisbon. The Director General added that he could not guarantee that the Secretariat could do that because there was an approved Program and Budget with an approved structure and the Secretariat would need to consult with the External Auditors before undertaking such an exercise, which involved program keys and the way in which the accounting system was set up.

219. The Chair announced that Agenda Item 11 would remain open pending consultations on Lisbon/PBC-related issues and on external offices.

220. The Chair of the General Assembly provided regular updates to the plenary, over the different days of the Assemblies, on the status of such informal consultations.

On Lisbon/PBC-related issues, facilitated by the Chair of the General Assembly, the updates included as follows.

221. The Chair reported on the consultations that he had facilitated on Lisbon/PBC-related issues. He said that he had met with the Delegation of the United States of America. During the meeting, he and the Delegation had gone through the list of proposals that the Delegation had made. The Delegation had acknowledged some understanding regarding those, following receipt of the Secretariat's clarifications. The Chair had also received a clarification from the Delegation as to its priorities and the outcomes it needed from the present Assemblies. Subsequently, the Chair had met with the Delegations of France and Italy. During that meeting, the logistical and institutional difficulties and challenges that the Delegations faced in order to agree on some of the proposals that had been made, had been discussed. The Delegations of France and Italy had shown their willingness to engage and contribute to the efforts to find a compromise. The Chair concluded his report by saying that he had also had a brief meeting with another group of delegations that were playing a constructive role in finding compromises around Lisbon/PBC-related issues. The Chair commented that there were two ways of looking at the present situation whereby the Assemblies were unable to close some agenda items (2, 11, 12, 14, 15, 17, 19, 20, 22 and 27). One way was to blame the Lisbon-related issues. As regards Agenda Item 11, that involved the earmarking of funds for a possible diplomatic conference taking place in the next biennium open to full participation; the call for a revision of the methodology of the allocation of income and expenditure to the Unions; and, the

expectation of one of the delegations to ensure that there was no deficit in the finances of the Lisbon Union. Regarding Agenda Item 14, there was the issue of the SCT and the request by the Delegation of the United States of America relating to a study on geographical indications and of the Geneva Act. There followed a set of PCT and Madrid Union related issues, concerning which the Delegation of the United States of America had asked for clarifications regarding who decided on the allocation of the resources they generated and the expectation of clarification on them not being used to finance any deficit of the Lisbon System. There was also a proposal, in the context of the discussion of the Madrid Union, on a possible mechanism for finding funds to help deal with the current deficit of the Lisbon System. Under Agenda Item 22 (the Lisbon Union), the core of the issues were related to its financial sustainability. Under Agenda Item 27, there were issues regarding the Geneva Act. In view of the above issues spread over many agenda items, another way to deal with the situation was to organize discussion on the Lisbon-related issues through informal consultations rather than the plenary, in order to make progress and look for compromises on the part of all interested parties. The list of items was very long, but it could be gathered into three groups. One was the financial sustainability of the Lisbon Union and the issue of the Lisbon Union relating to Agenda Item 22. The second category was one of assurances and clarifications, which included the allocation methodology for the income and expenditure of the Unions. There was no specific proposal on any possible revision of the allocation methodology. In the plenary session, several delegations had stated that they either found it difficult or opposed any revision of the allocation methodology. However, this was one of the requests put forward to, at least, engage at the level of the PBC on possible revisions or proposals to improve the allocation methodology. Other issues had been raised as well. These included: a request for clarification in the current version of the 2016/17 Program and Budget regarding the expenses in the past (concerning the Madrid and the Lisbon Systems under Program 6). Those should be easy to tackle, but it needed to be checked with the Secretariat and Member States if there was agreement on any possible changes in the current version of the Program and Budget proposal that would clarify the expenses attributed to the Lisbon System: Another issue that had been raised was the earmarking of funds for diplomatic conferences being conditional on full participation by all members, it remained to be seen whether any specific language would be needed. In that regard, the Chair recalled that the Director General had been very clear on that issue in his intervention. Furthermore, there was the issue related to the SCT and study on geographical indications and the administration of the Geneva Act. In closing, the Chair reiterated that the groups of unresolved issues were: (i) the financial sustainability of the Lisbon Union, (ii) the assurances and clarifications and (iii) other issues. The Chair said that his intention was to suspend the plenary and launch a process of consultations on the three groups of issues.

222. On a further update, and upon going through the list of Lisbon/PBC-related issues, the Chair indicated that it had been agreed to split those pending issues into two separate groups, following a different classification than the one he had referred to the previous day. One group of issues concerned those issues that would have to be decided by the members of the Lisbon Union Assembly, namely the issues regarding the deficit of the Lisbon Union. In this regard, he recalled that the priority for those who wanted those issues to be solved was to basically receive short-term assurances from the Lisbon Union members on their commitment to tackle the Lisbon deficit. Meanwhile, the Lisbon Union members had shared what prevented them from dealing with that specific issue in concrete terms at this point in time, even if some progress had been made. The other set of issues concerned six issues which were linked to other pending agenda items and had to be decided by all WIPO Members. They concerned, firstly, the methodology for the allocation of income and expenditure of the various unions, including the allocation of miscellaneous income of the Organization. He further indicated that if everyone could agree in principle to discuss the issue, the issue might be referred to the next meeting of the PBC. Secondly, there was the issue of the separation of accounts of the Lisbon and Madrid Unions. He recalled that a concession had already been made by the Lisbon Union members in that regard, but some clarifications were still required. It was his understanding that there had been a constructive discussion the previous day between the Delegation of the United States of America and the Secretariat in that regard, which had resulted in a better understanding of what



could be done on that matter. He added that any clarifications that would be made to the current draft Program and Budget would have to come to the plenary for approval. The third issue concerned the use of fee income generated by other unions. In this regard, some guidance was necessary from WIPO Members as to the specific language for decisions to be taken by the Assemblies of the Unions concerned. The fourth issue concerned the earmarking of funds for any diplomatic conference being open to full participation. In light of the clarification made by the Director General in that regard and given what some delegations had said in that respect, the Chair was of the view that the issue might not be a difficult one to solve, as nobody envisaged any of the diplomatic conferences that might take place in the next biennium not being open to all WIPO Member States. However, specific language for a decision paragraph was still needed. The fifth issue concerned a decision to be taken for the SCT to start a discussion on geographical indications. In that regard, the Chair indicated that to only have a discussion on the Geneva Act in the SCT would not appear to be a viable solution, whereas a decision acknowledging that within the mandate of the SCT a general discussion on geographical indications could take place might be acceptable. Finally, the sixth issue concerned the proposal regarding the administration of the Geneva Act of the Lisbon Agreement. In that regard, he recalled that the Director General had been very clear by saying that it would not be up to the Secretariat to make a decision on that matter. The Chair further indicated that it was clear from the discussions that there was no agreement or understanding on whether the Geneva Act was a new agreement or a revised one. He continued by saying that, in the informal meetings the previous day, the Lisbon Union members had shown their disposition to work towards a solution in respect of the Lisbon deficit by expressing a real commitment in that regard, while also signaling the progress and the concessions they had already made, for example by their decision to increase the fees. However, the Lisbon members had also indicated that they would have difficulties in solving that specific issue during the present meeting of the Assembly, given the fact that this was a very difficult issue, on which some had not received a specific mandate for taking a final decision. Some delegations needed to hold consultations within their government, which might still require three or four months. The Chair therefore suggested that it might be useful to explore whether some language could be found to reflect a clear commitment of the Lisbon Union members to address the deficit. Such language would have to come from the Lisbon Union members themselves after consultation with all interested parties. In this connection, the Delegation of the United States of America, accompanied by other delegations, had said that the real problem was that they could not approve a budget which contained elements that would tend to indicate that the United States of America would be financing an activity that would hurt them. Consequently, the decision to be taken on the Lisbon deficit was associated to the decision to be taken on the Program and Budget as a whole.

223. The Chair of the Lisbon Union Assembly thanked the Chair of the General Assembly for the information on the latest developments of the informal consultations he had held. He added that Lisbon Union members had also held bilateral consultations with the Delegation of the United States of America. He recalled that the Lisbon Union members, at this stage, were not in a position to show more flexibility in terms of committing themselves. He stated that the Lisbon Union members were ready to decide to engage in further discussions and to come up with a solution by the next session of the Lisbon Union Assembly, in 2016. He further stated that several Lisbon Union members had expressed their disappointment that the Lisbon Union had been singled out as a blocking stone that had prevented the PBC from reaching an agreement, and had pointed out that the Hague Union had a deficit of 3.8 million Swiss francs. Finally, he echoed the opinion of several delegations, to which the Chair of the General Assembly had also made reference, that the core of the problem was not the Lisbon Union, but the Program and Budget.

224. On a further update, the Chair of the General Assembly recalled that there were basically two sets of issues. The first set of issues pertained to a decision that was in the hands of the Lisbon membership with respect to Agenda Item 22, while the remaining set of issues would have to be decided either by all WIPO Members or by the PCT and Madrid Assemblies as far as

the specific Agenda Items 19 and 20 regarding PCT and Madrid related issues were concerned. Among the other pending issues under that second set of issues, he also referred to the issues concerning the SCT and the administration of the Geneva Act. Consequently, there were five pending agenda items under that second set of issues. He went on to say that, during the informal meeting that had taken place on Saturday of the previous week, he had urged delegations to move to a more drafting level discussion on eventual decision paragraphs regarding all those pending agenda items. More specifically, he had asked the different delegations that had participated in that informal meeting to come forward with specific texts. Lastly, he said that those different texts had been consolidated and would be discussed at another informal meeting that he would hold later that morning, not only in respect of Agenda Item 22, but also in respect of the other pending agenda items he had referred to.

225. The Delegation of France invited the members of the Lisbon Union to meet before the informal meetings that the Chair had announced. The Delegation said that the purpose of the meeting of the members of the Lisbon Union was to analyze the feasibility of the most recent proposal from the Delegation of the United States of America. As that proposal concerned a possible loan by the Lisbon Union from the contribution-financed unions, the Delegation needed clarification as to the technical basis for such a loan, in particular as to its possible legal basis and schedule for reimbursement and wondered whether the Secretariat could help in providing such clarification.

226. On a further update, the Chair recalled that those issues could be basically divided in two separate groups even though everything was connected. The first group comprised only one pending issue, namely the decision that the Lisbon Union members would have to take on how they would address the deficit of the current biennium as well as the long term financial sustainability of the Lisbon System. In that regard, the Chair recalled that there had been different proposals on that matter during the Lisbon informal consultations: one would be for Lisbon Union members to basically commit to launch a process to solve the Lisbon deficit in the future, another suggestion would be for the Lisbon Union members to take a decision to solve that issue at the present Assemblies with some level of certainty, and there had also been proposals by other delegations to devise ways in which that could be accomplished. Given the complexity of the issue, the Chair said that delegations had already engaged in a drafting discussion in that regard. The Chair recalled that the other set of issues included the rest of the issues that did not only pertain to the Lisbon Union, but which concerned the PCT Assembly (Agenda Item 19), the Madrid Assembly (Agenda Item 20), the administration of the Geneva Act (Agenda Item 27), as well as the mandate of the SCT (Agenda Item 14). By way of conclusion, the Chair reiterated that the approval or not of the proposed Program and Budget for the 2016/17 biennium under Agenda Item 11 would depend on the settlement of all those pending issues. That issue had been raised at the ambassadors' meeting. The consequences of not having a Program and Budget for the next biennium were clear to all Member States and had been discussed during the PBC.

227. Following the conclusion of informal consultations, the Chair explained that a total of six agenda items were covered by the decision paragraphs that had been circulating since the previous day. The Chair passed the floor to the Legal Counsel for explanations to the plenary on how the gaveling of the adoption of the decisions would take place, specifying that the Chairs of the Madrid and Lisbon Unions were present on the podium.

228. The Legal Counsel explained that under the General Rules of Procedure of the Organization, in cases where there were joint meetings of the Assemblies of Member States, it was the Chair of the General Assembly who presided over such joint meetings. Since the Chairs of the Madrid and Lisbon Unions were present and those of other unions were not, it was recommended that the Chair, in his capacity of Chair of the General Assembly, should also act as Chair of whichever governing body required a decision, enabling the taking of these collective decisions at the same time.

229. The Chair asked if everyone was comfortable with appointing him as *ad hoc* Chair for all the related agenda items, including those for the three unions, at that stage. Seeing that there were no objections to this, the Chair confirmed that this would be the approach adopted and proposed to proceed. As he had mentioned, he put forward the draft decision paragraphs on Agenda Items 11, 14, 19, 20, 22 and 27.

230. The draft decision paragraphs on Agenda item 11 read as follows:

231. "The Assemblies of the Member States of WIPO and the Unions, each as far as it is concerned:

"(i) agreed to approve the revised Proposed Program and Budget (A/55/5/Rev.), as amended during the General Assemblies (Program 6);

"(ii) noted the decision of the Lisbon Union Assembly to adopt measures by the 2016 Assemblies to eliminate the Lisbon Union's projected biennial deficit, as described in the 2016/17 biennium WIPO Program and Budget (1.523 million Swiss francs); and

"(iii) decided to approve a loan from the reserves of the Contribution-financed Unions to the Lisbon Union in order to fund the operations of the Lisbon System for 2016/17, in case such measures are not sufficient to cover its projected biennial deficit. Such loan shall be provided on the basis that no interest shall be payable and that it would be repaid when the Lisbon Union reserves would allow it to do so.

232. "The WIPO General Assembly:

"(i) recognized that the allocation methodology for the income and budget by Union is a cross cutting topic;

"(ii) noted that some delegations are of the opinion that further discussion among the Member States would be needed;

"(iii) requested the Secretariat to conduct a study on potential alternatives for an allocation methodology for the income and budget by Union for consideration at PBC 25.

233. "The WIPO General Assembly takes note of the fact that all diplomatic conferences contemplated in the 2016/17 biennium, that may be held under the auspices of WIPO during the 2016/17 biennium and funded by the resources of the Organization will be open to the full participation of all WIPO Member States."

234. The draft decision paragraphs on Agenda Items 14, 19, 20, 22 and 27 read as indicated in the decision paragraphs of the respective agenda items.

235. Seeing that there were no requests for the floor, the Chair jointly gavelled the decisions of agenda items 11, 14, 19, 20, 22 and 27, which were adopted.

236. The Chair opened the floor for interventions by delegations regarding these decisions.

237. The Delegation of the United States of America emphasized four key points for the record on the successful conclusion of negotiations with respect to the Lisbon System. First, the decisions under that budget item acknowledged that the Lisbon Union was a fee funded Union whose receipts did not cover its expenses and that it, therefore, had a deficit. Second, the decisions reflected that the Lisbon Union had agreed to increase fees and to adopt measures to eliminate its projected biennial deficit. Third, the decisions reflected that the PCT and Madrid

Unions would not support the Lisbon Union in the 2016/17 biennium. Finally, the decisions did not confer approval of the Geneva Act by the WIPO Assemblies or measures for WIPO to administer the Geneva Act that were required by the WIPO Convention. As a result, the United States of America believed that the budget that would result from these negotiations would be clear, fair, transparent and accountable for all of WIPO's membership. The Delegation had, therefore, endorsed that result and would support the budget accordingly. Upon stressing that the negotiations had been difficult and that it had not been easy to get to that point, the Delegation wished to commend the exceptionally constructive negotiations that had led to that point and the immense flexibility to develop decision language acceptable to all parties. All those elements reflected the hard work and creativity as well as the dozens, if not hundreds, of engagements in the dozens of capitals to get there. The Delegation addressed a special word of thanks and appreciation to the Secretariat for its responsiveness to the numerous requests for statistics and financial data that had allowed the negotiations to proceed. Through it all, although a broad diversity of views had been heard, a result had been achieved that respected the consensus basis of the Organization and not simply a mere quantitative percentage of its membership. That in itself was a big success as it went to the ultimate credibility and integrity of WIPO to its Member States and, indeed, to the world.

238. The Delegation of France pointed out that, during the 2014/15 biennium, the promotion of IP and all related aspects had been covered with efficiency and in the interests of all WIPO Members. As many other WIPO Members, the Delegation attached great importance to the protection of geographical indications and was very pleased with the adoption of the Geneva Act last May, which would be administered by WIPO. The Delegation firmly believed that, beyond the frictions that this had caused, the revision of the Lisbon System for the protection of geographical indications would be an important acquisition for WIPO. The benefits thereof would only be confirmed and amplified in the years to come. The Delegation said that, in this context, the difficulties encountered for the adoption of the biennial budget could be considered surprising. These were in contrast with the operational results of WIPO and with the low levels of money involved, i.e., 0.3 per cent of the budget. Consequently, questions arose as to why the Lisbon Union was singled out and discriminated in comparison with the other Unions. The Delegation stated that, with all its partners of the Lisbon Union, it had demonstrated its will to meet its political and financial responsibilities and its commitment to continue to do so, as the Delegation had also stated at the closure of the Diplomatic Conference for the Adoption of the Geneva Act of the Lisbon Agreement. The Delegation hoped that the Lisbon System would be financially stable, as a system which was fully part of WIPO. The Delegation expressed its support for the conclusions of the Chair on this point. With the help of WIPO Secretariat, the Delegation was ready to work on additional options to finance and stabilize the Lisbon System within the framework of WIPO. The one-year deadline proposed for a compromise on the budget should be fully taken advantage of. The extension in May 2015 of the framework of the Lisbon System to geographical indications should not undermine the activities of the Lisbon System or lead to delinking the Lisbon System from WIPO. The Delegation indicated that it would not accept that the operations of the Organization, in particular the financing of the expenses of the various unions depending on their capacity, would be undermined. This type of budget construction, which allowed for sufficient financing of cooperation activities, was and remained a corner stone of WIPO.

239. The Delegation of Switzerland thanked all delegations for their commitment and efforts to engage in the issues relating to the adoption of the Program and Budget for the 2016/17 biennium. The Delegation expressed its gratitude for the openness and flexibility delegations had shown, allowing the WIPO General Assembly to move forward and to take this important step. The Delegation stated that consensus was the foundation of the Organization and could only be achieved by such pragmatic and reasonable solutions. As the Delegation had already stated on numerous occasions, it was important that WIPO could count on a budget allowing the Organization to meet its mandate and objectives in the interests of all Member States. The Delegation wished to highlight four points. The first point was that Switzerland believed that the results obtained did not undermine the unitary logic of the Organization. The

Delegation recalled that WIPO was far more than a simple aggregation of unions and treaties and that it was the global engine for the promotion and protection of IP for all, and by all. The Delegation considered that the activities undertaken by WIPO, in this framework, were not necessarily designed to carry out surpluses. The second point was that the solution found allowed the Member States of the Lisbon Union to have the necessary time to adopt the required financial measures. The third point was that the decisions had been taken in the spirit of the Geneva Act revising the Lisbon Agreement, which unequivocally constituted a treaty administered by WIPO. Finally, the fourth point was that taking into account that the diplomatic conferences envisaged for the 2016/17 biennium concern potential new treaties, the Delegation took note that these conferences, funded from the WIPO budget, would be open to the full participation of the WIPO Member States.

240. The Delegation of Mexico said that Mexico did not favor a change in the methodology of the allocation of funds by program as it was of the view that the changing of the principles which were the foundation of that methodology would represent a threat to the financing of those unions which did not generate revenue but which were extremely important to a large number of Member States. The Delegation agreed that the methodology could be improved but stressed that any amendment would have to be considered on its own merits and not because of the existence of a particular context. The Delegation was of the view that the adoption of the Geneva Act had resulted from a legitimate process conducted in conformity with the principles of international law. Therefore, the administration of the Geneva Act under the aegis of WIPO should not be put into question, as that would represent a negative precedent for the norm-setting activities of the Organization. Lastly, the Delegation reiterated its commitment to deal with the financial deficit of the Lisbon System, together with the other Lisbon Union members.

241. The Delegation of Japan, speaking on behalf of Group B, expressed its satisfaction with the agreement that had been found in respect of the Program and Budget under the wise guidance of the Chair of the General Assembly, which had enabled the Organization to have a budget for the next biennium. Upon recalling that, in his opening statement, the Chair had indicated that the involvement of the regional groups would be essential in order to achieve that result. The Delegation said that Group B was highly satisfied with such a successful outcome, which had resulted from a collective effort, not only on the part of Group B, but on the part of all WIPO Member States. Delegations had shown the utmost flexibility in the process, which in turn constituted a very good basis for the future work of the Organization. The Delegation expressed the wish that such good spirit would be applied to other issues facing the Organization.

242. The Delegation of Chile said that it had contributed in a flexible way to the attempts for finding a solution to the issue, so that an appropriate result could be achieved which would allow the Organization to have a budget and continue to function in a regular manner. The Delegation asked other delegations which had been equally flexible to maintain that flexibility with regard to the remaining pending issues of the agenda. The Delegation was pleased with the agreement reached and remained committed to the Organization, which was extremely important for the multilateral system.

243. The Delegation of Paraguay said it was delighted that the budget for the 2016/17 biennium had been approved, as this would allow the various projects already under way to be pursued and new initiatives to be planned for the promotion of an effective and balanced IP system. The Delegation considered this a sign of the faith of WIPO members in the Organization, both from the point of view of the functioning of the Organization itself and of the projects for developing and LDCs.

244. The Delegation of Nigeria, speaking on behalf of the African Group, added a voice to those who had praised the adoption of the Program and Budget. The Delegation stressed that an important step had been taken this year by the WIPO General Assembly, because it had

given clarity to the activities and programs which would be undertaken by the Organization in the coming biennium. The Delegation encouraged delegations to continue, with the same flexibility and goodwill, their discussions on the outstanding issues related to the Lisbon Agreement and the administration of the Geneva Act. While expressing that the African Group regretted that the negotiations on external offices were still focusing only on the guiding principles, the Delegation was cautiously optimistic that the goodwill and flexibility that Member States had shown in approving the Program and Budget for the 2016/17 biennium would be transferred to the agenda items that were still pending.

On external offices, the updates included as follows.

245. Following the first day of informal consultations, the Chair invited the facilitators to report to the plenary on the progress made so far. The Chair gave the floor to Ambassador Menéndez facilitating consultations on external offices.

246. The Facilitator reported that two rounds of informal consultations had taken place. In the first round, delegations had agreed to reread the draft guiding principles regarding WIPO External Offices, as previously negotiated by Ambassador Fitschen. The Facilitator recalled that members had virtually agreed on the document, however, there were at least three themes pending agreement and the work in the consultations would focus on those. In the second round, upon further examination of the documents, members had broken some ground and while showing a very positive attitude, they, were remaining firm on their positions. It had been agreed that work would continue until Monday to come up with some new language that should make it possible to, at least, remove some of the square brackets in paragraph 3*bis*. The participating delegations were to focus on paragraph 3*bis* while the facilitator and her team would work on a new wording for paragraph 22. The Facilitator believed that if delegations maintained their constructive spirit, the remaining obstacles to the agreement could be removed.

247. The Chair called on delegations to show flexibility and creativity and to try to contribute to the resolution of the issue, which was very important to many delegations.

248. On a further update, the Chair reported that as a result of the previous day's meeting, the Facilitator had proposed a text, which had already been sent to the Regional Coordinators. An informal meeting was proposed for Monday at 5.30 p.m. to discuss that and the Chair thanked all the delegations that had shown a proactive attitude and come forward with proposals. The Chair recalled that the Facilitator had started her own bilaterals the previous week. Informals had taken place on Wednesday and Friday. In the absence of the Facilitator, the Chair invited her representative, Mr. Xavier Bellmont Roldan (Spain) to brief the meeting on the progress of consultations on external offices.

249. The representative of the Facilitator reported that a second round of consultations had been held, during which delegations and regional Groups had presented their views. The meeting would continue later in the afternoon when the Facilitator would present her proposal, which had already been distributed, on a new paragraph 22 taking into account what had been said during the informals. Thus the items that remained pending, and which were still in brackets, were under section D (paragraph 22) and paragraph 3*bis* ("the feasibility of"). Regional Groups should come with proposals to assist in the attempt to agree on the text. On the basis of the comments made, it did not seem to be a key element of the negotiations. Hope was expressed that it, indeed, was the case that the afternoon meeting would be productive and that delegations would make some headway and get closer to a consensus.

250. On a further update, the Chair said that there had been a positive response to the initial document that the Facilitator had distributed. The Chair added that the Facilitator had described the consultations as a two-stage process: one that approved the guidelines and the other on

the implementation or operational issues. What had been clear, and had been stated by many delegations, was that those two stages were a package.

251. The Facilitator reiterated the many calls by the Chair that delegations must come to the negotiations with a greater degree of flexibility. The Facilitator added that, during the afternoon meeting, the negotiators would go through the last version of the text, trying to somewhat simplify the various topics to see whether the Guiding Principles could be finalized. They would then focus on the second stage, which was the decision paragraph, with the understanding that all delegations needed to be satisfied with the entire package. The Facilitator asked delegations not to be afraid to have a discussion on the principles. He urged delegations to come with a margin of flexibility to enable the negotiations to be as productive as possible.

252. On a further update, the Chair reported that two meetings had taken place the previous day. There had been an acceptance of the Guiding Principles, in principle. An initial draft of the decision paragraph had also been discussed. A new draft had just been circulated and would be the basis for the informal discussions later in the day. The Chair encouraged all delegations to read it and asked the delegations participating in the consultations to share information on what had happened during the process with other delegations. The Chair added that the decision paragraph needed to reflect the two-stage process, the agreement on the Guiding Principles and the guidance from the Assembly regarding the implementation of those Guiding Principles to accommodate requests by several members and, at the same time, provide assurances to all membership.

253. Following the conclusion of informal consultations, the Chair said that he had witnessed a very important breakthrough on the issue. The Chair invited the representative of the Facilitator on external offices to report on the progress of the consultations.

254. The representative of the Facilitator said that he was delighted to announce that consensus had been reached on the issue, which was an enormous relief for all. The Guiding Principles would be presented to the plenary with the same language as that presented by the Facilitator. The only changes were in the decision section and in paragraphs 2 and 4, on which most of the negotiating time had been spent. Instead of the previous wording of two offices to Africa, one to GRULAC and one to Asia, consensus had been reached and the priority would be given to Africa. The rest of the sentence remained unchanged.

255. The Delegation of Iran (Islamic Republic of) said it would prefer to have a copy of the decision before it was gavelled.

256. The Chair, since the said copies were not yet available, suggested continuing the reporting process and subsequently reverting to this agenda item.

257. The Chair reopened discussion on external offices, and said that a decision paragraph was being made available to delegations in order to close Agenda Item 11 and suggested reading the decision paragraph on the draft Guiding Principles regarding the WIPO External Offices with a view to its adoption. He added that for the period mentioned in paragraph 2, priority should be given to Africa. The Chair read out the proposed decision, as follows:

258. "The WIPO General Assembly decided:

"1. to adopt the Guiding Principles annexed to this decision;

"2. recognizing the Organization's limited capacity to open new external offices, and desirous to take a phased and prudent approach when establishing new external offices, to open not more than three external offices per biennium for the biennia 2016/17, 2018/19, subject to approval by the WIPO General Assembly;

“3. this decision is without prejudice to any decision by the Program and Budget Committee and the General Assembly on opening new external offices pursuant to the Guiding Principles after an evaluation during 2021;

“4. for the period mentioned in paragraph (2), priority should be given to Africa. For this purpose, Member States are encouraged to submit their hosting proposals to be considered under the Guiding Principles.”

## ANNEX

### **GUIDING PRINCIPLES REGARDING WIPO EXTERNAL OFFICES**

1. The following principles shall guide the role of the WIPO Secretariat and the decision making by Member States on the establishment of a sustainable, adequately sized network of WIPO External Offices (EOs), that adds clear value, efficiency and effectiveness to program delivery in accordance with the results framework of the Program and Budget, in a coordinated and complementary way with WIPO HQ and in a way that may otherwise not be achieved through operations at WIPO HQ.

#### **A. Transparency of procedures and decision making by Member States for the establishment of new External Offices**

2. Any Member State wishing to host an EO, in its national capacity or on behalf of a group of countries or Regional Group if so agreed by its members, should notify the President of the General Assembly and Director General in writing. The President of the General Assembly shall inform the Member States of the receipt of the notification without delay. This paragraph does not apply to those Member States which have already presented the written notifications, in their national capacity or on behalf of a group of countries or Regional Group.

3. The Member State wishing to host an EO, in its national capacity or on behalf of a group of countries or Regional Group if so agreed by its members, should submit a proposal through the Director General for consideration by the Program and Budget Committee (PBC). In the preparation of this proposal the Member State may request the assistance of the Secretariat. The Secretariat shall submit to the PBC the notification and the proposal received from the Member State.

*3bis.* The Secretariat shall provide to the PBC a separate, factual and technical report on proposed new EO and its consistency with these guiding principles. The document should also contain information relevant to the consideration of paragraphs *10bis* and 17. The PBC will consider the proposal and the document in order to make any recommendation to the General Assembly.

4. The General Assembly will consider the report, including recommendations, of the PBC in order to take a final decision on the establishment of the new EO.

5. If the General Assembly approves the establishment of an EO, the Coordination Committee (CoCo) will consider the approval of a proposed agreement between the Director General on behalf of WIPO and the host country, consistent with Article 12 of the WIPO Convention.

#### **B. Rationale for External Offices**

6. The proposal referred to in paragraph 3 should provide the rationale and propose a mandate for the EO which reflects: any needs, the purposes, and the proposed scope of



activities, including regional activities, if any; indicating the value added to the Organization's program delivery, with particular regard to the considerations set out in Sections D and E.

7. Recognizing that the mandate of each EO as decided by WIPO Member States might differ, the basic scope of activities in an EO may include:

- (i) Collaboration with the national IP office to support and advance the Organization's program delivery;
- (ii) Enhancement of innovation and creativity, including by promoting effective use of IP services;
- (iii) Raising awareness, understanding and respect for IP;
- (iv) The delivery of customer services to users of global IP services, including treaties and conventions administered by WIPO;
- (v) Assistance for using IP as a tool for promoting development and transfer of technology;
- (vi) The provision of policy and technical support to national IP offices to increase the use of IP;
- (vii) If approved by the PBC, WIPO may explore the possibility for an EO's delivery of other activities which are beneficial to WIPO Member States.

8. WIPO EOs will not conduct any activities related to processing<sup>1</sup> of international applications filed under the PCT, Madrid, and Hague systems, or any related financial transactions.

9. EOs can supplement the activities of, but not assume the duties which are primarily the responsibility of national IP authorities.

### **C. Regional Activity**

10. The mandate of an EO may include undertaking activities similar to the basic scope set out in paragraph 7 consistent with and in support of WIPO's approved program in a group of countries or regional group if those countries which are to be covered by the EO have so agreed.

*10bis.* Such activities shall not prejudice the rights of any other country in that same region with regard to regular WIPO program activity, especially at the national level, including the delivery of any legal or technical assistance to those countries directly from WIPO HQ.

### **D. Financial and Budgetary Sustainability**

11. Recognising the different levels of development among Member States, and the need to safeguard resources for regional bureaus without prejudice to Member States

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<sup>1</sup> For example: receipt, transmittal, review, search and examination, handling, publication, assignment on transfer of rights on licenses, renewal, and/or storage.

which opt to deal directly with WIPO HQ, the report under paragraph 3*bis* shall set out, based on facts, the technical feasibility of the proposed EO with respect to:

- (i) the budget implications of the establishment of the EO, including the financial and budgetary sustainability and its recurring costs;
- (ii) possible efficiency savings from the proposed activity of the EO.

The report under paragraph 3*bis* shall be without prejudice to the final political decision which Member States may take regarding any offer to host a WIPO EO.

11*bis*. Funding for EOs other than that provided by the host country or another country wishing to contribute to the functioning of the EO in question shall not impose any additional financial burden on Member States other than the approved regular budget allocation.

12. The ability to maintain the financial and budgetary sustainability of the WIPO External Offices network will depend on whether it contributes to the delivery of program results, the cost-effectiveness of its operation and the prevailing financial situation of the Organization, and the Secretariat should keep Member States adequately apprised of this consideration.

#### **E. Geographic / Locational Aspects**

13. Due consideration should be given to the principle of a sustainable, equitable, and efficient geographical network for the location of prospective EOs. Every EO should have a clearly defined geographical area of operation.

14. Due consideration should be given to developmental aspects, regions without an EO, or locations where the users of WIPO Premier Global IP Services are located.

15. The existence of an EO in a region, or even in a neighboring country, shall not by itself constitute a ground for denying a request put forward by a Member State in that same region to be considered and decided by the General Assembly.

16. The establishment of a new EO shall not prejudice the scope of an existing EO to conduct approved WIPO program activities in its host country or with a group of countries or Regional Group, as agreed by the Member States involved.

17. The establishment of an EO in one particular Member State shall not prejudice the rights and the conduct of relations by other Member States in the same geographical region with WIPO HQ.

#### **F. External Offices' Accountability / Reporting**

18. All EOs are an integral part of WIPO's results-based management and regulatory framework. Once the EO is established and operational, its performance and activities will be monitored and evaluated based on the performance indicators and targets, and reported to the PBC which will, in turn, transmit its recommendations to the General Assembly, as appropriate.

19. WIPO will directly procure the required IT equipment for all WIPO EOs through its normal processes.

#### **G. Implementation and Review**

20. These guiding principles shall apply universally to existing and prospective EOs.

21. To allow for evolving circumstances in WIPO's operating environment, these guiding principles shall be reviewed and approved upon a decision of the General Assembly.
22. The size and performance of the entire EO network shall be evaluated every five years by the PBC, which may request the support of WIPO External Auditors or independent external evaluators, with due regard to the different mandates and functions performed by the EOs. The terms of reference of such evaluation shall be decided by the PBC.
259. As there were no objections to the proposal, the Chair gavelled the decision and invited delegations to make any brief interventions should they so wish.
260. The Delegation of the United Kingdom said that since the document had been drafted in haste, it might be wise to ask the Secretariat or the Legal Counsel to do an editorial check of the Guiding Principles, because it was a document that would remain for years and any possible mistakes or elements that needed to be corrected should be corrected. These would be editorial changes and not substantive ones.
261. The Delegation of Brazil, speaking on behalf of GRULAC, expressed its satisfaction with having reached consensus on the Guiding Principles which would allow the establishment of the new external offices on a firm basis. The Delegation said that GRULAC had shown great flexibility with a view to facilitating the representation of Africa in the external office network in the very near future. GRULAC wished to have it noted in the record of the meeting that, in the establishment of future external offices, the condition of under representation suffered by the GRULAC's region should be taken into consideration.
262. The Delegation of Nigeria, speaking on behalf of the African Group, was pleased to see agreement on the Guiding Principles, which had resulted from a process that had taken nearly three years. The Group thought that it was a laudable time for the Organization and the delegations which had negotiated and showed flexibility on this issue. The Group wished to specifically reference the GRULAC region for their flexibility as well as the Delegations of Iran (Islamic Republic of), Pakistan and Turkey and, indeed, all delegations, including the members of the African Group, which had engaged constructively. The adoption of the Guiding Principles ensured that WIPO was true to the principle of equitable geographical representation, especially in the context of the WIPO external network. In closing, the African Group thanked Member States for demonstrating flexibility and looked forward to their support when the Group's proposals would be put forward.
263. The Delegation of India, speaking in its national capacity, acknowledged that priority for opening external offices should be given to Africa. The Delegation fully endorsed and supported the establishment of external offices in Africa. The Delegation reiterated India's desire to have an external office in India.
264. The Delegation of Iran (Islamic Republic of) said that the discussions that Member States had had since 2013 and taking into account the lessons learned from the past deliberations members paved the way for future success. The Delegation was convinced that arriving at consensus on Guiding Principles regarding WIPO External Offices was a good achievement for all Member States and also for the Organization. Member States could build upon it in the future deliberations on which they hoped to reach a fair and sustainable conclusion for all Member States of WIPO. The Delegation thanked all Member States and the ambassadors who had facilitated the process, and congratulated and thanked all delegations and groups, in particular GRULAC, for their flexibilities. The document before the members was a very important document, resulting from an inclusive engagement of Member States in an open and transparent manner. The adoption of this important instrument could pave the way for Member States to take appropriate decisions on all the requests for external offices, with equal treatment, in accordance with the Guiding Principles and the criteria defined therein.

265. The Delegation of Chile congratulated the Groups which had achieved consensus and had adopted a document which was fundamental to the establishment of external offices in the future. The Delegation said that it had always had in mind the priority for the establishment of an external office in Africa and had sought to achieve consensus, sometimes putting on the back burner some of its legitimate regional concerns. The Delegation fully subscribed to the statement made by the Delegation of Brazil and felt that it was important that the Group's request to be considered for the establishment of external offices, should appear in the summary record of the meeting.

266. The Delegation of Egypt aligned itself with the comments made by the Delegation of Nigeria, on behalf of the African Group and, in its national capacity, expressed its appreciation for the efforts made by the previous facilitators of the process on the external offices. However, special commendation and due recognition was required to the Ambassador of Spain for the tireless efforts, diligence and professionalism she had displayed throughout the last few days of discussions on the issue.

267. The Chair joined in thanking the Ambassador of Spain and the Vice-Chair who had handled the negotiating process in the last hours.

268. The Delegation of Pakistan, welcoming the adoption of the Guiding Principles, expressed appreciation to the Facilitator of the process, the Ambassador of Spain and subsequently the Ambassador of Latvia for the efforts made to achieve consensus on this important issue. The Delegation's position on the issue had been clear and consistent from the beginning. The Delegation had engaged constructively, although it had taken the principle view all along that the needs assessment should precede and not follow the opening of new external offices. The Delegation had also maintained, from the beginning of the exercise, that Guiding Principles should be finalized prior to the discussion on the number of offices. However, the negotiations had come to an impasse when it had become evident that any delay in arriving at a decision would impact opening of new offices, primarily in Africa. The Delegation added that the negotiations had been led by an inherent desire to accommodate new external offices in Africa. The Delegation earnestly hoped that during the implementation phase all members would continue extending their unyielding support to the African region. The Delegation expressed its appreciation for the constructive engagement and flexible attitude shown by all delegations, and especially GRULAC, to accommodate the desire expressed by the African delegations.

269. The Delegation of South Africa said that after three years of intense discussions members had reached consensus on the Guiding Principles and the decision paragraph which prioritized the establishment of new external offices in Africa. In this regard, the Delegation thanked the Ambassador of Spain, and all other delegations, for their acknowledgement that Africa was truly an integral component of the WIPO family. The Delegation also thanked the various delegations for their demonstrated flexibility. The Delegation placed on record its appreciation for the constructive efforts of its counterparts from GRULAC.

270. The Delegation of the Republic of Korea extended its thanks to the Ambassador of Spain for her excellent work and effort to reach compromise on the Guiding Principles leading to a decision of the General Assembly. The Delegation believed that it was a meaningful result achieved by Member States based on discussions. The Delegation hoped that, through the external offices, WIPO could be more progressive in the future.

271. The Delegation of Oman thanked the Chair and the delegations for having adopted the agreement on external offices and for having given priority to the African continent, while recognizing the needs of other regions.

272. The Delegation of Nigeria added to the statement it had made on behalf of the African Group and thanked the previous facilitators of the negotiating process on the Guiding Principles, specifically the Ambassador of Spain and Mr. Belmont Roldan (Spain), as well as the

Secretariat who had supported the work of the informal negotiations from the beginning. The Delegation, speaking in its national capacity, also thanked Member States for their support.

273. The Chair thanked all delegations for their interventions. He recalled the request by the Delegation of the United Kingdom for an editorial review of the Guiding Principles, if all delegations agreed. There were no comments to the contrary and it was so agreed. The Chair closed deliberations on Agenda Item 11.

#### ITEM 12 OF THE CONSOLIDATED AGENDA

##### REPORT ON THE STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS (SCCR)

274. See the report of the session of the WIPO General Assembly (document WO/GA/47/19).

#### ITEM 13 OF THE CONSOLIDATED AGENDA

##### REPORT ON THE STANDING COMMITTEE ON THE LAW OF PATENTS (SCP)

275. See the report of the session of the WIPO General Assembly (document WO/GA/47/19).

#### ITEM 14 OF THE CONSOLIDATED AGENDA

##### MATTERS CONCERNING THE STANDING COMMITTEE ON THE LAW OF TRADEMARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS (SCT)

276. See the report of the session of the WIPO General Assembly (document WO/GA/47/19).

#### ITEM 15 OF THE CONSOLIDATED AGENDA

##### MATTERS CONCERNING THE CONVENING OF A DIPLOMATIC CONFERENCE FOR THE ADOPTION OF A DESIGN LAW TREATY (DLT)

277. See the report of the session of the WIPO General Assembly (document WO/GA/47/19).

#### ITEM 16 OF THE CONSOLIDATED AGENDA

##### REPORT ON THE COMMITTEE ON DEVELOPMENT AND INTELLECTUAL PROPERTY (CDIP) AND REVIEW OF THE IMPLEMENTATION OF THE DEVELOPMENT AGENDA RECOMMENDATIONS

278. See the report of the session of the WIPO General Assembly (document WO/GA/47/19).

ITEM 17 OF THE CONSOLIDATED AGENDA

MATTERS CONCERNING THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE (IGC)

279. See the report of the session of the WIPO General Assembly (document WO/GA/47/19).

ITEM 18 OF THE CONSOLIDATED AGENDA

MATTERS CONCERNING THE COMMITTEE ON WIPO STANDARDS (CWS)

280. See the report of the session of the WIPO General Assembly (document WO/GA/47/19).

ITEM 19 OF THE CONSOLIDATED AGENDA

PCT SYSTEM

281. See the report of the session of the PCT Union Assembly (document PCT/A/47/9).

ITEM 20 OF THE CONSOLIDATED AGENDA

MADRID SYSTEM

282. See the report of the session of the Madrid Union Assembly (document MM/A/49/5).

ITEM 21 OF THE CONSOLIDATED AGENDA

HAGUE SYSTEM

283. See the report of the session of the Hague Union Assembly (document H/A/35/2).

ITEM 22 OF THE CONSOLIDATED AGENDA

LISBON SYSTEM

284. See the report of the session of the Lisbon Union Assembly (document LI/A/32/5).

ITEM 23 OF THE CONSOLIDATED AGENDA

ADVICE OF THE COORDINATION COMMITTEE TO THE LISBON UNION ASSEMBLY REGARDING THE PROPOSAL TO ESTABLISH A WORKING CAPITAL FUND FOR THE LISBON UNION

285. See the report of the session of the WIPO Coordination Committee (document WO/CC/71/7).

ITEM 24 OF THE CONSOLIDATED AGENDA

WIPO ARBITRATION AND MEDIATION CENTER, INCLUDING DOMAIN NAMES

286. See the report of the session of the WIPO General Assembly (document WO/GA/47/19).

ITEM 25 OF THE CONSOLIDATED AGENDA

PATENT LAW TREATY (PLT)

287. See the report of the session of the WIPO General Assembly (document WO/GA/47/19).

ITEM 26 OF THE CONSOLIDATED AGENDA

SINGAPORE TREATY ON THE LAW OF TRADEMARKS (STLT)

288. See the report of the session of the Singapore Treaty Assembly (document STLT/A/8/2).

ITEM 27 OF THE CONSOLIDATED AGENDA

MATTERS CONCERNING THE ADMINISTRATION OF THE GENEVA ACT OF THE LISBON AGREEMENT

289. See the report of the session of the WIPO General Assembly (document WO/GA/47/19).

ITEM 28 OF THE CONSOLIDATED AGENDA

REPORTS ON STAFF MATTERS

290. See the report of the session of the WIPO Coordination Committee (document WO/CC/71/7).

ITEM 29 OF THE CONSOLIDATED AGENDA

AMENDMENTS TO STAFF REGULATIONS AND RULES

291. See the report of the session of the WIPO Coordination Committee (document WO/CC/71/7).

ITEM 30 OF THE CONSOLIDATED AGENDA

DESIGNATION OF THE CHAIR AND DEPUTY CHAIR OF THE WIPO APPEAL BOARD

292. See the report of the session of the WIPO Coordination Committee (document WO/CC/71/7).

## ITEM 31 OF THE CONSOLIDATED AGENDA

### ADOPTION OF THE REPORTS

293. The Chair stated that time and effort invested in the deliberations had paid off and thanked all the delegations for their flexibility in moving ahead with the pending agenda items. He further suggested that, due to the lateness of the hour, the Assemblies agree as last year, the same procedures to adopt the reports, which was approved, as follows:

294. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, requested the Secretariat to finalize the draft reports, post them on the WIPO website and communicate them to Member States by November 2, 2015. Comments should be submitted to the Secretariat by January 4, 2016, after which the final reports would be deemed adopted by February 5, 2016.

## ITEM 32 OF THE CONSOLIDATED AGENDA

### CLOSING OF THE SESSIONS

295. The Delegation of India, speaking on behalf of the Asia Pacific Group, expressed its profound appreciation to the Chair, for his exemplary hard work in making the General Assembly a success. The Group also thanked the Director General, the Secretariat and the interpreters. The Group stated during the first mandate as Coordinator at the General Assembly, it had received excellent cooperation from other Coordinators. The Group noted that this General Assembly had set a new benchmark for multilateral cooperation and consensus building, and hoped this spirit would prevail in upcoming meetings. The Group expressed its appreciation to the Facilitator of the IGC, for his untiring efforts in helping and guiding the process of discussions with an innovative and accommodative approach, wherein delegations agreed to the text for the renewal of the mandate of the IGC and the work program for the next biennium. The Group also thanked the Regional Groups for displaying a constructive spirit, as well as the Secretariat for its support. The Group urged delegations to use this constructive spirit in the work of the IGC to achieve its objective of agreeing to an international legal instrument(s) for the effective protection of GRs, TK and TCEs.

296. The Delegation of Japan, speaking on behalf of Group B, thanked the Chair for his leadership and applauded the approval of the Program and Budget and other developments which was achieved by the flexibility of all delegations. The Group also thanked the Secretariat, facilitators and interpreters. Lastly, the Group announced the end of term of its regional Coordinator and expressed gratitude to all delegations and the Secretariat for their support, friendship and cooperation extended to its Coordinator during the past two years. The Group extended its wishes to Greece which was taking over the coordination of Group B.

297. The Chair thanked Mr. Kunihiko Fushimi, regional Coordinator of Group B, for his incredible contributions in the PBC and the Assemblies.

298. The Delegation of Nigeria, speaking on behalf of the African Group, thanked the Chair for his dedication and commitment in achieving the desired results. The Group also thanked the facilitators of the different agenda items and noted the incredible step taken in reaching agreement on almost all the agenda items. The Group believed that it was a turning point in the recent history of WIPO where agreements could not be reached, and hoped that the good spirit and goodwill would be translated to the other committees. The Group also expressed delight at having reached an agreement to continue the work of the IGC. The Group stated that the opening of external offices was a very good outcome for the African Group, since the region had not been represented in WIPO's external network. With regard to the SCCR, the Group



believed that the adopted decision created enough ground to reach an agreement. The Group was also pleased that the Program and Budget was adopted without going beyond the General Assembly. In conclusion, the Group thanked Mr. Kunihiro Fushimi, regional Coordinator of Group B, who would be sorely missed.

299. The Delegation of China expressed its deepest appreciation and thanks to the Chair for his excellent leadership and efficient work during the General Assembly. The Delegation also thanked the facilitators and the interpreters for their hard work. The Delegation congratulated all the delegations for the great results achieved during the General Assembly, and believed that this day could be recorded in WIPO's history. The Delegation looked forward to continuing in the same spirit to promoting the work of the Organization.

300. The Delegation of Brazil, speaking on behalf of GRULAC, thanked all the delegations for their untiring efforts which had resulted in the completion of all the agenda items. The Group also thanked the Facilitator of the IGC, for his efforts and for assuring the delegations that had concerns related to the renewal of the mandate. The Group stressed the importance of having a place to discuss those issues, which would hopefully result in achieving consensus on a number of issues. The Group thanked the interpreters for their excellent work in handling meetings in the most unimaginable hours of the day, and acknowledged their importance to the Group. The Group added its voice to that of the other coordinators stating that Mr. Kunihiro Fushimi, regional Coordinator of Group B, would be dearly missed and wished him the best of luck in his new endeavors in Tokyo. The Group believed that much progress had been made in the Organization due to the good relationship among Coordinators.

301. The Delegation of Spain expressed its appreciation and thanks for all the common accomplishments made. The Delegation congratulated the Chair for a very successful General Assembly, for his guidance and excellent leadership throughout the difficult days. The Delegation also thanked Mr. Kunihiro Fushimi, regional Coordinator of Group B, for his excellent work and patience. The Delegation believed that part of the success was owed to Mr. Kunihiro Fushimi and all the other regional coordinators.

302. The Delegation of Romania believed that delegations should congratulate themselves for the impressive results that had been achieved. Most importantly, the Delegation noted that nothing could have been achieved without the Chair's leadership. The Delegation also expressed its gratitude to the vice-chairs, for the facilitator's intensive work as well as the constant support provided by the Secretariat and the interpreters throughout the sessions. The Delegation also thanked the regional Coordinators and Member States for their openness and cooperation showed during the sessions.

303. The Delegation of Greece joined the other delegations in thanking the Chair for his guidance as well as the Secretariat for the preparation of the Assemblies. The Delegation expressed its profound gratitude to Mr. Kunihiro Fushimi, for his untiring efforts, commitment and dedication.

304. The Delegation of Oman, speaking on behalf of the Arab Group, thanked the Chair and the Secretariat, for effectively leading the Assemblies towards a consensus on various agenda items. The Arab Group acknowledged that several important decisions and recommendations were made in relation to the future work program of WIPO bodies. In particular, importance was attached to the approval of the Proposed Program and Budget 2016/17 with increased financial allocations for development projects and activities. The Group emphasized the need for extending the IGC mandate for a period of two years and proceed on the basis of a negotiated text, containing a legal mechanism, with a view to reach an agreement on an international instrument on TK and GRs to be adopted at a diplomatic conference, and establish a follow-up standing committee. In that respect, the Arab Group supported the proposal made by the African Group to convert the IGC into a standing committee, and welcomed the content of the

interregional statement made by the Delegation of Brazil, on behalf of GRULAC and Like-Minded Countries. The Delegation was of the view that those demands called for by the Arab Group served in the achievement of development goals as well as those very goals for which WIPO was established, hence the need for implementing the DA recommendations. The Arab Group also called for the need to take serious and effective steps to address the lack of external offices in the Arab region, and emphasized the Group's willingness to positively participate in drafting the guidelines for the creation of external offices. In that regard, the Arab Group supported the proposal made by the African Group. The Arab Group underlined the need for a balance amongst the six official UN languages, particularly Arabic, and hoped that such balance be reflected in the work of WIPO technical committees and website contents. The Delegation concluded that such a rich agenda required that all Member States collaborate in a positive and constructive manner and with further flexibility in order to reach the necessary consensus and achieve those results that integrate, as a priority, human and economic development of developing countries and LDCs, and assist Member States in implementing national policies, such as policy on innovation promotion, to achieve economic, social and cultural development. The Delegation reiterated the Arab Group's readiness to effectively collaborate and contribute to the successful accomplishment of said goals.

305. The Delegation of South Africa thanked all the facilitators for their untiring efforts to reach constructive solutions on various issues. The Delegation stated that this meaningful progress provided a good basis for moving forward. The Delegation also expressed its appreciation to the Chair, the Director General, the Secretariat for their hard work which made possible the General Assembly productive. Finally, the Delegation thanked the Ambassadors of the African Group, for their guidance and presence throughout the process and night, in making sure of productive results.

306. The Delegation of Luxembourg, speaking on behalf of the European Union and its member states, thanked the Chair and all the facilitators for their tremendous efforts in making the Assemblies successful. The Delegation also thanked all delegations for their constructive spirit and flexibility. The Delegation reiterated its commitment to the work of the Organization. The Delegation extended its appreciation to the work and assistance of the Secretariat and the interpreters. The Delegation thanked Mr. Kunihiro Fushimi, the Group B outgoing Coordinator, for his dedication and untiring efforts to serve their common goals, and welcomed Greece, the new Group B Coordinator.

307. The Delegation of Iran (Islamic Republic of) thanked the Chair for his leadership, patience and untiring efforts. The Delegation also thanked the facilitators, the Director General and the Secretariat for their efforts during the Assemblies.

308. The Director General joined all the delegations in thanking the Chair for his extraordinary efforts and leadership throughout the course of the last 10 days, which was the continuation of the extraordinary efforts made as Chair of the PBC. The Director General also thanked the vice-chairs, facilitators, and especially all the delegations, for their tremendous engagement in these Assemblies, manifested in the number of delegates present at 6.00 a.m. of the last day; manifested in the agreements that had been reached; and demonstrated through the many cultural and side events organized by Member States. The Director General noted that this year was one of the richest years ever experienced in that regard. He also extended his thanks to the Secretary of the Assemblies, the Director of the Assemblies Affairs and Documentation Division, as well as colleagues from other divisions who had supported the Member States in their discussions throughout the past week. Finally, the Director General thanked the interpreters for their tireless efforts.

309. The Chair thanked all the delegations, vice-chairs, facilitators, the Director General, as well as the Secretary and the team of the Assemblies. The Chair stated that something remarkable had been accomplished which looked incredibly challenging when embarking on the 10-day meeting.

310. The Fifty-Fifth Series of Meetings of the Assemblies and other Bodies of the Member States of WIPO was closed by the Chair of the WIPO General Assembly.

[Annexes follow]